

President **Beth Rudiger** *Lake County Jazzercise*707-326-1291

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Duane Harper

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> Rita Caroni 2 Women Traders

Rani Patentreger Mary Kay Sales

Monica Rosenthal
R Vineyards

Morgan Vogel Chinnock

Moth Moon Healing

Annette Lee Woodland Community College January 20, 2016

Michalyn DelValle Community Development Department Planning Division 255 N. Forbes Street Lakeport, California 95453

RE: Middletown Dollar General, IS 15-10

Dear Ms. DelValle and Planning Commissioners,

The Middletown Area Merchants Association remains opposed to the Dollar General project as presented for the same reasons as stated in the two letters submitted to the Planning Commission dated April 26, 2016, and August 22, 2016.

The developer has failed to listen to the community's suggestions and produce a design that complies with the intent of the Middletown Area Plan.

Sincerely,

The Middletown Area Merchants Association Board of Directors

Beth Rudiger, President

Middletown Area Merchants Assoc.

Tanya Striedieck, Secretary
Middletown Area Merchants Assoc.

Mark Rudiger, Director

Middletown Area Merchants Assoc.

Morgan Vogel Chinnock, Director
Middletown Area Merchants Assoc.

Rani Patentreger, Director

Middletown Area Merchants Assoc.

Duane Harper, Vice-president
Middletown Area Merchants Assoc.

Christina Braden, Treasurer

Middletown Area Merchants Assoc.

Annette Lee, Director

Middletown Area Merchants Assoc.

Rita Caroni, Director

Middletown Area Merchants Assoc.

Monica Rosenthal, Director

Middletown Area Merchants Assoc.

P.O. Box 872, Middletown, CA 95461 ~ info@middletownareamerchants.com

April 26, 2016

Michalyn DelValle
Community Development Department Planning Division
255 N. Forbes Street
Lakeport, California 95453

RE: Middletown Dollar General, IS 15-10

Dear Ms. DelValle:

The Middletown Area Merchants Association (MAMA) supports business growth and development in the South Lake County area and believes that a variety of business choices should be available to the South Lake County consumer for both tourists and residents of all ages. Furthermore, MAMA supports healthy business competition and encourages our citizenry to shop locally.

The Middletown Area Merchants Association has reviewed the initial study 15-10 Environmental Checklist Form of April 7, 2016, the Preliminary Design, the staff report of April 8, 2016, and the Commercial Design Guidelines (Section 7) of the Middletown Area Plan. Based on our research, we have serious misgivings regarding this project.

We believe that Lake County, with its natural lake, outdoor adventure, and growing wine industry, is poised to regain its title as a desirable vacation destination for the greater Bay Area. As Middletown is the gateway to South Lake County, it is imperative that we maintain and continue to develop it as a charming, historic town by following the design guidelines specified by the community via the Middletown Area Plan, adopted August 17, 2010. Our future well-being as a community and as a county depend on it.

Section 5.1, page 5-2, of the Middletown Area Plan states

The County should support the creation and expansion of commercial facilities and events that attract tourists to the area. New developments, as well as expansion and infill development should be attractive and compatible with the area's existing small-town rural atmosphere and theme... Additionally, "formula" or "franchise" business structures, signs and box stores that detract from the established theme should be required to develop in a way that is consistent with the Design Guidelines and local scale and character.

The Dollar General stores in Clearlake Oaks and Nice as well as other areas of California are clearly constructed as "box stores" with none of the design elements thoughtfully recommended and requested by our community via the Middletown Area Plan. The establishment of a Dollar General store within the Community Growth Boundary of Middletown would violate the following aspects of section 7.2, Middletown Design Guidelines:

- Avoid design consisting largely of boxes with applied design elements. (Page 7-5)
- Parking should be avoided between building fronts and roadways. (Page 7-5)
- Emphasis should be placed on creating a safe, accessible pedestrian environment and a "town center" style of commercial area as opposed to "strip mall" style commercial areas. (Page 7-5)
- Provide horizontal wall plane changes along street frontages and areas easily viewed from residential properties to provide some building articulation. (Page 7-5)
- Inset windows as much as possible from wall faces to provide some visual depth to facades. Where interior uses make this difficult, provide exterior trim around windows to achieve some facade depth. (Page 7-5)
- Use a mix of materials that have a smaller scale (e.g., stone, brick, wood siding, and shingles). Avoid concrete block and metal siding or panels. (Page 7-5)
- Orient buildings to avoid blank walls and service areas which are visible to the public. (Page 7-5)
- Design with a scale consistent with neighboring character, particularly when neighboring residential uses. (Page 7-5)
- When blank walls are unavoidable, add pilasters, trellises, and/or lattices along with landscaping to make facades more attractive. (Page 7-5)
- Express columns and beams on the buildings exterior. (Page 7-6)
- Provide a number of façade layers (e.g., front of columns or pilasters, wall plan, window frame, window glass). (Page 7-6)
- Finish wall tops with overhangs, projecting cornices, and column caps that provide a strong visual terminus to the structure. (Page 7-6)
- Muted tones are generally preferred with stronger accent colors limited to smaller areas of trim. Thoughtful consideration should be given to the selection of color hues. (Page 7-6)
- Use applied and integrated design elements (e.g., exposed rafter tails on sloped roofs, cornice moldings, applied medallions). (Page 7-6)
- In most cases, a range of analogous or complementary colors is preferred over painting all wall surfaces with the same paint color and shade. (Page 7-6)
- Strong building colors that are used for branding or advertising purposes may not be approved. (Page 7-6)

We respectfully request that the Lake County Planning Commission decline the current major use permit for Cross Development, Dollar General – Middletown.

We also request that our organization be included in any notices regarding future discussion of this project. Thank you for your consideration.

Sincerely,

The Middletown Area Merchants Association Board of Directors

Beth Rudiger, President

Middletown Area Merchants Assoc.

Tanya Striedieck, Secretary

Middletown Area Merchants Assoc.

Rita Caroni, Director

Middletown Area Merchants Assoc.

Mark Rudiger, Director

Middletown Area Merchants Assoc.

Annette Lee, Director

Middletown Area Merchants Assoc.

Duane Harper, Vice-president Middletown Area Merchants Assoc.

Christina Braden, Treasurer

Middletown Area Merchants Assoc.

Morgan Vogel-Chinnock, Director

Middletown Area Merchants Assoc.

Monica Rosenthal, Director

Middletown Area Merchants Assoc.

cc: Lake County Board of Supervisors

Lake County Chamber of Commerce Board

Middletown Area Town Hall (MATH)

From: ELLEN KARNOWSKI [mailto:nature1194@hotmail.com]

Sent: Wednesday, April 05, 2017 4:53 PM

To: Michalyn DelValle

Subject: Dollar General concerns

To Ms. DelValle:

I will not be available to attend the hearing on the 18th in regards to Dollar General store development, but I am against this store bringing in a 9,000 foot store to our community, no matter which town it is in. The smaller family retail stores we have in Lake County can not compete with this development, and none of the profits will be recirculated locally in our economy.

Lake County does not need this development. Will you please keep me apprised of what occurs at the hearing on the 18th?

Thanks so much. Ellen karnowski nature1194@hotmail.com 707-501-6708, Kelseyville

From:

Jennifer Hartnett < jennifer_megan@me.com>

Sent:

Monday, April 17, 2017 2:21 PM

To:

Carolyn Purdy

Subject:

STOP development of the Dollar General Store in Middletown, California

Follow Up Flag:

Follow up

Flag Status:

Flagged

District 1 Supervisor, Lake County, CA
The Board of Supervisors
STOP development of the Dollar General Store in Middletown, California
The Board of Supervisors
255 N. Forbes St.
Lakeport, CA 95453

We the 505 undersigned, implore Lake County The Board of Supervisors and Jim Comstock to deny the commercial use permit to construct a Dollar General Store in Middletown, CA. This commercial development proposal is in direct opposition to two key goals of The Lake County General Plan, and the Lake County Mission Statement: 1) To maintain the county's unique quality of life, and 2) To promote economic vitality for current and future generations.

There are several developmental flaws in the proposed building plan, which are in direct violation of the Middletown Area Plan and are listed below. In Chapter 7 of the Middletown Area Plan, under Design Guidelines, it states:

- 1) To preserve Lake County communities' character and scale, including their design heritage and historic character
- 2) Pedestrian and Bicycle-Friendly Streets
- 3) It is important that development provide a positive initial impression which complements the natural setting and predominately rural character of the area. Not only does this create a good aesthetic impression on travelers, but a well designed community increases community pride and economic viability.
- 4) Projects should possess a "village" scale and character which is sensitive to the scale and livability of the adjacent residential areas.
- 5) The Local and Community Commercial zones should be oriented for low speed automobile and a pedestrian nature.
- 6) Street front functionality and visual continuity should be maintained, and all projects should be sympathetic in form, scale, and height to adjacent structures. Uniform front setbacks should be maintained as much as possible to create the ideal pedestrian corridor.
- 7) The physical and visual impact of parking lots should be minimized.

- 8) The following design guidelines are a series of recommendations which are aimed at helping Middletown retain its uniqueness and discourage incompatible construction.
- 9) The guidelines are intended to establish a balance that preserves and enhances Middletown's uniqueness and livability while supporting the economic vitality that provides resources for community services.
- 10) Ensure that new development reinforces and supports the special qualities of downtown Middletown.
- 11) Maintain a building scale that is consistent with downtown Middletown's small scale image.
- 12) Reinforce the special qualities of Middletown's visual character, including the western style.
- 13) Provide visual continuity along street frontages.
- 14) Encourage signage which is in scale and harmony with the architecture and character of Middletown.

A common thread runs throughout the Middletown Area Plan stating that the "rural character" of Middletown not be altered in a negative way. This proposed building is not aesthetically compatible in scale and appearance with the buildings suggested in the Plan. The architectural style does not meet the requirements, nor does it reflect or compliment the rural heritage of our town.

The Board of Supervisors should not allow Middletown's architectural history to be compromised for a retail box store. This proposal undermines the will and desire of our residents who wish to keep the rural character of Middletown intact. Erecting a box store in town does not fit in here or share our values. It would also have a negative impact on the Mom & Pop businesses in our small town who are still trying to economically recovering from the tragic Valley Fire. We urge you to also consider Dollar General's effect on the people of Middletown, particularly with regard to:

- 1) Lowered property values
- 2) Lowered property taxes
- 3) Increased traffic
- 4) Increased light pollution
- 5) Increased noise pollution
- 6) Increased criminal activity
- 7) Increased litter
- 8) Damaged historic viewscape
- 9) Lowered quality of life

Furthermore, we urge The Board of Supervisors to abide by the policies adopted by The Board, in the published Middletown Area Plan, 2010, that sets forth proper guidelines to be followed and states in the Executive Summary section, "The higher level of policy accountability for this plan ensures the residents of the future that the vision of the citizens in 2009 is carried out as adopted. County landowners and residents seek assurances that the use of a neighbor's property will be compatible with the health, safety, welfare and preservation of property values, the economy and the County's rural character. Therefore, facilitating land development and land use must balance a property owner's right of reasonable use and the impact of that use on neighboring property owners." As laid

out in the Middletown Area Plan (pg.1-2).

We kindly request The Board of Supervisors, for the reasons above, to deny the application from Dollar General and/or Cross Development.

To view and read the 505 undersigns' signatures to this letter please visit the online petition at:

https://www.change.org/p/joseph-sullivan-stop-development-of-the-dollar-general-store-in-middletown-california?recruiter=524561651&utm_source=share_petition&utm_medium=email&utm_campaign=share_email_responsive

From:

Grant Hardester < hardesters@yahoo.com>

Sent:

Monday, April 17, 2017 11:54 AM

To: Subject: Carolyn Purdy Dollar General

Follow Up Flag:

Follow up

Flag Status:

Flagged

April 17, 2017

Lake County Board of Supervisors 255 N Forbes Street Lakeport, CA 95453

Re: Dollar General

Dear Supervisors:

We encourage the Board of Supervisors to support the Planning Commission's recent Dollar General decisions in both the Middletown and Kelseyville communities. We believe the specific area plans within the County, and the enforcement of them, will be recognized and appreciated in future generations.

Many of the downtown businesses in Middletown have struggled with the impact of the Valley Fire. Many of these businesses relied on the tourism associated with Harbin Hot Springs and other great attractions in Southern Lake County. Once Harbin returns, these businesses will come back strong. We have no doubt that Middletown has a great future ahead.

Thank you for all of your efforts for the betterment of Lake County, especially during the past 18 months since the fire.

Respectfully,

Ross Hardester Grant Hardester Hardester's Markets, Middletown P.O. Box 308 Middletown, CA 95461 (707) 987-2325 hardesters@yahoo.com

From:

Eric Smith <eric.thelorax@gmail.com>

Sent:

Monday, April 17, 2017 11:53 AM

To:

Carolyn Purdy; Moke Simon; Jeff Smith; Jim Steele; Tina Scott; Rob Brown

Subject:

Fwd: New constructions and the Middletown Area Plan

Follow Up Flag:

Follow up

Flag Status:

Flagged

Hello,

I am writing because I have two concerns about the proposed Dollar General.

1) My primary concern is that there is a strong association between dollar stores and crime. Before we put our community at risk, I would like to see a full crime impact study by an independent third party. We don't have the police presence to handle a surge in crime, and funding such a police presence would cost far more than any tax revenue generated by the store.

http://wreg.com/2017/02/09/discount-store-crime-cashiers-customers-put-safety-at-risk-as-corporations-turn-big-profits/

http://www.citylab.com/work/2012/02/what-dollar-store-locations-reveal-about-america/1115/

2) The plans that I have seen do not conform to the design guidelines outlined in the Middletown Area Plan. My family moved here because we like the plan, and we are concerned that if one construction can openly violate the design guidelines, they will be unenforceable for future constructions, both commercial and residential. If this is the case, we will have to leave Middletown. Below, please find a list of instances in which the proposed construction appears to violate Section 7 of the MAP. Thank you for your diligence and consideration for the community.

-Eric Smith

General

"Commercial buildings should be designed with a small scale massing and complexity that is appropriate to the context of the transportation system of the area."

With the current heavy traffic at the light, a large commercial store could overload the intersection, especially with the expected increase in pedestrian traffic from the school to the Dollar General. We would like to see a traffic study to ensure that this intersection does not become more congested.

"The physical and visual impact of parking lots should be minimized."

Pavement wraps around the street-facing side of the building, breaking visual continuity with other Middletown retailers.

Building/Site Design

"Design with respect for nearby historic buildings and unique neighborhoods of Middletown."

Because the proposed construction is across the street from multiple schools, we would need a crime study to determine historic and predicted impacts of Dollar Generals on crime rates. Anecdotal and correlational evidence suggest that Dollar Generals are associated with crime and a proper study would determine whether there is a causal link.

"Avoid design consisting largely of boxes with applied design elements."

The proposed construction is almost exclusively box elements.

"Parking should be avoided between building fronts and roadways."

While there are no designated parking spots between the building front and roadway, the pavement continues unbroken from the designated lot into the front of the building, giving room for vehicles to park in front of the structure.

"Sidewalks or other pedestrian improvements should be added along all street frontages," and, Emphasis should be placed on creating a safe, accessible pedestrian environment and a "town center" style of commercial area as opposed to "strip mall" style commercial areas"

The building plans do not appear to include pedestrian improvements, which is a special concern because the proposed construction is located on the Middletown main strip and within walking distance of multiple schools.

"Avoid visually bulky buildings. Provide horizontal wall plane changes along street frontages and areas easily viewed from residential properties to provide some building articulation."

The building plan does not appear to provide plane changes between the top and bottom sections of the buildings.

"Inset windows as much as possible from wall faces to provide some visual depth to facades. Where interior uses make this difficult, provide exterior trim around windows to achieve some façade depth."

The building plan does not explicitly or visually inset the front windows.

"Avoid concrete block and metal siding or panels."

The building plan states that the upper portion of the building will be constructed with metal panels.

"Maintain continuity of design, materials, color, form and architectural detail for all elevations of a building that are visible from public areas or adjacent residences."

The front of the proposed building shifts from yellow metal panels to brown wood and metal panels.

"Avoid blank walls and service areas which are visible from adjacent streets and projects."

The Southeast and Southwest facing walls are blank. The Southeast facing wall is visible from the adjacent homes, while the Southwest facing wall is visible from the highway on approach from the Southwest. Both are likely visible from Wardlaw Street.

"Provide a richness of architectural façade depth and detail. Express columns and beams on the building's exterior. Provide a number of façade layers (e.g., front of columns or pilasters, wall plan, window frame, window glass)."

The exterior of the building does not appear to include any visually distinguishable columns or beams.

"Respect the privacy of neighboring residents. Avoid windows which would provide views into residential private yard spaces. Provide shielding for any exterior lighting visible from neighboring residential uses."

Unless the design incorporates soundproof fencing on the rear property line, the building will violate the privacy of residents having conversations in their homes and backyards.

Landscaping

"Avoid large amounts of paving between structures and the street sidewalk. If there is a substantial setback...over 50% of the front setback should be devoted to green landscaping."

More than 50% of the setback appears to be paved.

"Provide greater landscape buffering adjacent to residential parcels."

The proposed construction is too close to the Southeastern residential zone to allow for significant landscape buffering.

Signage

"Select wall sign colors to blend with the building and storefront colors. Select from color ranges which are analogous and complementary to them. Corporate branding colors will be considered, but will not be automatically approved if they are considered out of place with the building or the surrounding environment. The use of tone-down colors in the same hue family may be required in place of brighter standard corporate colors."

The building plan shows a sign with corporate branding colors. While the yellow portion of the sign may arguably complement the surrounding brown, if the sign is to be illuminated, this will contrast sharply with the luminance of the rest of the building and run counter to the aesthetic of other retail buildings on the main Middletown strip (which do not have illuminated signs).

Types of Signage

"Interior illuminated can signs which include multiple letters within a single sign enclosure will not be allowed for any wall sign."

The building plan does not specify whether the sign is to be illuminated, but this appears to be standard practice for the corporation. This would be a violation of the MAP design guidelines.

From:

Eric <eric@harbin.org>

Sent:

Monday, April 17, 2017 10:10 AM

To:

Moke Simon; Jeff Smith; Jim Steele; Tina Scott; Rob Brown; Carolyn Purdy

Subject:

Dollar General Appeal

Follow Up Flag:

Follow up Flagged

Flag Status:

Dear Lake County Board of Supervisors and Secretary,

Harbin Hot Springs wishes to impress our gratitude upon the Lake County Board of Supervisors for the board's rejection of the Dollar General permit in January of this year. Tomorrow you are charged to consider Dollar General's appeal of the planning commission's findings that their designs do not fit within the Middletown Area Plan. We strongly hope that you uphold the January decision to not permit construction as we believe that Dollar General's basis of appeal of the planning commission's decision is inaccurate and also does not address zoning restrictions of a small business classification. As administrators of Harbin Hot Springs we deeply feel that the Dollar General design would have a corrosive and detrimental impact on the character and heritage of our little town.

Thank you all for the many long hours that you have wrestled with these issues these past few years. Please consider how much your January decision to halt the project is appreciated by your constituents in Middletown, its business owners and other concerned individuals and organization and that Dollar General has not been willing to make the clear accommodations that residents of this neighborhood found important enough to codify into the Middletown Area Plan, to protect against just this type of scenario.

Warmly,

Eric Richardson

Managing Director

Harbin Hot Springs

PO Box 82

Middletown, CA 95461

eric@harbin.org

707 803 0719

From:

Jocelyn <jocelyn@bellabluedesigns.com>

Sent:

Monday, April 17, 2017 10:03 AM

To:

Carolyn Purdy

Subject:

Dollar General Middletown

Follow Up Flag:

Follow up

Flag Status:

Flagged

Dear Lake County Board of Supervisors

I have been following this story for the last year and finally feel I must speak up. I don't mean to sound 'judgemental' or 'snobby' but there is NO WAY putting that ugly Dollar General building into our charming town is going to say "Visit Lake County", "Shop in Lake County", or "Buy land and invest in the next best California location". Middletown is a literal GATEWAY to Napa's money spilling over into Lake County and our future growth. I have lived in California my whole life and visited towns all over Northern California. Here is what this Dollar General building says to those passing through "We have given up on this town, the economy sucks, it is slowly dying and will eventually be boarded up and shut down so just drive through and don't bother stopping here."

The building is ugly. Downtown Middletown has historic buildings and a downtown that could easily be revitalized in the manner of Lakeport, bringing outsiders to our county to spend money and invest in our businesses and land. Calistoga and Napa's economy is literally 20 minutes away. We can invite that economy in to come help us rebuild and revitalize this beautiful area, or we can shut them off saying 'Don't bother, we're not worth the time". Perception is hugely important here. I work in advertising and marketing and know this to be true. That DG building is ugly and visually makes a huge statement about our town that will not benefit our future.

Look around Northern California and look at the towns that have a Dollar General on one end or the other. Please, be real about the future we have here waiting for us, you are *setting the tone* for our tourism economy for years to come. The population demands people are going to expand into Northern Counties. (For example look at Healdsburg compared to 25-30 years ago). Please, I urge you to help Middletown grow into the next best California tourism center, with folks coming up to try our wine, visit the Lake, stop in at the vibrant Middletown Art Center, and soon come back to visit Harbin Hot Springs. Do the right thing for our economy and Shut This Dollar General plan down once and for all. That building is ugly and it screams of poverty. We have so much motivation here for something so much greater.

Thank you so much for considering my plea.

Jocelyn Hoey 707-472-8509 Middletown resident

From:

hal muskat <phoenix@rainbowpuddle.com>

Sent:

Monday, April 17, 2017 7:13 AM

To:

Carolyn Purdy

Subject:

Dollar General in Middletown

Follow Up Flag:

Follow up

Flag Status:

Flagged

I am on the road and will be unable to attend tomorrow's BOS meeting to make my opinion known re: the design of Dollar General.

This design is not in keeping with the Middletown Area Plan.

If merchants and residents of Middletown can't make our own decisions, we might as well abolish MAP and all the decisions that affect out lives here can be made in Lakeport. . .

Hal Muskat Hidden Valley Lake 707 987 2158

From:

Caleb Murphy <c.lobes76@yahoo.com>

Sent:

Sunday, April 16, 2017 11:49 AM

To:

Jeff Smith; Tina Scott; Rob Brown; Jim Steele; Carolyn Purdy;

mole.simon@lakecoutyca.gov

Subject:

Stop Middletown Dollar General

Follow Up Flag:

Follow up

Flag Status:

Flagged

Greetings,

The Middletown community has suffered greatly since the Valley Fire. Many local businesses have taken a big hit with displaced folks living elsewhere and the closing of Harbin. Please don't hurt these business owners any more by allowing Dollar General to come into Middletown and take commerce away from them.

Furthermore, a 9100 square foot Dollar Genaral would become the focal point of the town and does not fit at all with the Middletown Area Plan. A large corporate building would take away so much of our small town charm. Please do not allow Dollar General in Middletown.

Thanks, Caleb Murphy

From:

Bridget King <pickleface8@yahoo.com>

Sent:

Sunday, April 16, 2017 11:04 AM

To:

Carolyn Purdy; Moke Simon; Jeff Smith; Jim Steele; Tina Scott; Rob Brown

Subject:

No Dollar General in Middletown

Follow Up Flag:

Follow up Flagged

Flag Status:

Hello and good day to you,

I am writing because my family and I strongly oppose a Dollar General in Middletown. We moved to the Middletown area because of its small town charm and the lack of corporate business. A huge Dollar General does not comply with the Middletown Area Plan and would dominate the character of our town, while also taking much needed revenue away from local business owners. Please do not allow Dollar General into our precious community.

Thank you for your time and consideration, Bridget King

Sent from my iPhone

From:

lightwaveworks < lightwaveworks@gmail.com>

Sent:

Sunday, April 16, 2017 9:34 AM

To:

Moke Simon; Jeff Smith; Jim Steele; Rob Brown; Tina Scott; Carolyn Purdy

Subject:

BOS meeting April 18th Dollar General

Follow Up Flag: Flag Status:

Follow up Flagged

Hello Honorable Supervisors,

Thank you all for your service to our beautiful County and of course a welcome to the new Supervisors.

I have attached a letter I wrote to the Lake County Planning Commissioners and presented at the last Dollar hearing objecting to the Dollar General development based on lack of compliance to the Middletown Area Plan (MAP). It is one of four letters I wrote, and one of many letters that were written by community members and lawyers.

I am resubmitting this letter to all of Board of Supervisors members at this time because it outlines a number of objections I, and many community members, have made to the Planning Commission in relation to the Dollar General development plan based on the MAP. Also because it presents evidence of a number of inaccuracies in the Planning Staff report which has been presented as evidence of compliance by the legal representatives of Dollar General and Cross Development.

If you have previously received this document, my apologies for the duplication.

Sincerely,

Kimberly Haynie

Kimberly Haynie P.O Box 1129 Middletown, CA 95461

Dear Lake County California Planning Commissioners,

First, I would like to thank you all for your willingness to assume positions of public service. It is important work that is often challenging and insufficiently appreciated.

This communication is in regards to the lack of compliance of the Dollar General Elevation plan in relation to the Middletown Area Plan (MAP) and thus the Lake County, California (LCC) zoning ordinance law. I would also, however, like to dispel a few myths that have been perpetuated about this issue.

Myth 1: Only a handful of people object on the basis of the MAP

This myth, perpetuated mostly by a few influential individuals, is that the objection to the Dollar General elevation is just held by a handful of individuals, newer to the area, that are trying to dominate the discussion with a personal agenda. This could not be further from the truth.

The Middletown Area Town Hall (MATH) was initiated by the BOS to provide a means for District One residents to communicate their views and wishes to the District One supervisor and thus the BOS. Every MATH meeting that has included the Dollar General (DG) in the agenda has been standing room only, often with people having to stand outside the door, and included an array of individuals representing the great diversity of our district. In each of these meeting more than 95% attendees have emphatically express objection to the DG based on its lack of compliance with the MAP over all objectives, and specific directives. People from all district sectors, and walks of life, have express emphatic objections to the lack of compliance in an overwhelming majority. The views of district one residents have not been accurately represented.

Myth 2: There is no legal requirement to follow the MAP

It has been suggested multiple times that the Middletown Area Plan (MAP) is only a suggested guide, and that compliance with MAP directives are not legally required. Lake County California zoning ordinance law states:

Article 51, SEC. 21-5 MAJOR USE PERMIT

- 51.4 Findings **required** for approval states:
- (a) The Review Authority **may only approve** or conditionally approve a major use permit if **all** of the following findings are made:
- 5. That the **project is in conformance with** the applicable provisions and policies of this Code, the General Plan and **any approved zoning or land use plan**. (emphasis added)

Article 56, Sec. 21.56, DEVELOPMENT REVIEW PERMIT 56.5 Findings **required** for approval: (Ord. No. 1749, 7/7/1988)

The Review Authority **shall only approve** or conditionally approve a development review permit if **all** of the following findings are made: (Ord. No. 1749, 7/7/1988)

(d) That the **project is in conformance with** the applicable provisions and policies of this Chapter, the Lake County General Plan and **any approved zoning or land use study or plan**. (Ord. No. 1749, 7/7/1988) (emphasis added)

The MAP is an approved land use plan and therefore compliance is not an option; it is a requirement under LCC Zoning Ordinance law.

Myth 3: The MAP does not apply to the DG project location

It has been repeatedly asserted that the MAP scope of application does not include the DG project property. The scope of application of the MAP does, in fact, include the DG property:

MAP - 7.2 Middletown Design Guidelines, page 208, 7-4

"The current "core" of the downtown area has been defined as the blocks facing Highway 29/Calistoga Street from Wardlaw Street, south to Callayomi Street. <u>The design principles should be applied to all commercial and industrial areas</u>, but particularly to the downtown."

The MAP does not limit the scope of application to the downtown area.

Myth 4: The MAP is a set of loose independent suggestions for development rather than a cohesive, structured plan designed to assure the enactment of specific overall objectives.

MAP Executive summary 1.0, page 12 (MAP overall objectives)

"It [MAP] is a planning tool that will facilitate refined planning decisions based on community values and priorities of the residents in the area." "Policies in the area plan should supplement general plan policies, yet more precisely reflect the characteristics found in the Planning Area". "The higher level of policy accountability for this plan ensures the residents of the future that the vision of the citizens in 2009 is carried out as adopted." (emphasis added)

MAP Introduction 2.0, page 16

"At the policy level, area plans are developed specifically to reflect community values and priorities." "The residents of the Planning Area would like to not only maintain their quality of life but also nurture and enhance it."

Therefore, the foundational purpose and overall **objective of the MAP** is to assure accountability that the values, priorities and vision of the resident citizens are ensured. It is also to preserve the character and scale while nurturing and enhancing it. MAP is not a set of loose guidelines to be follow, or ignored, at the convenience of a developer. It is a development plan with a purpose and vision that contains a cohesive set of directives are designed to support its overall objectives.

Myth 5: Saying something is true makes it true.

A feature or component of structure or design must actually meet the guideline to be designated as so. Simply stating that it meets the guideline does not make it true. There are not "alternative facts."

Points of lack of compliance with MAP

7.1 Commercial Development, overview, page 206, 7-2

"Typical problems such as "strip commercial" development, sign clutter, unscreened parking lots, deteriorated buildings, and unimaginative, stark building designs are alleviated"

The proposed development is a strip commercial turned sideways, the proposed parking landscaping is not sufficient in quality, or quantity, to screen the parking, and the building is a stark design.

7.1 Basic design principles, page 207, 7-3

"Projects should possess a "village" scale and character which is sensitive to the scale and livability of the adjacent residential areas."

The elevation proposes is not of "village" scale or character, and is not sensitive to the housing directly behind the development.

7.2 Middletown Design Guidelines, page 208, 7-4

"The established character reflects a "western-style" design theme" "preserves and enhances Middletown's uniqueness and livability"

The building character does not reflect a western-style design theme and does not preserve or enhance Middletown's uniqueness or livability.

7.2 Purpose, page 208, 7-4

"The guidelines contained in this document are intended to accomplish the following:"

"Ensure that new development reinforces and supports the special qualities of downtown Middletown."

"Establish a high level of design quality"

"Maintain a building scale that is consistent with downtown Middletown's small scale image."

"Reinforce the special qualities of Middletown's visual character"

The proposed elevation does not support the scale (small), special qualities, or character of Middletown. The design quality is that of a typical strip mall structure not high level design.

7.2 Design Guidelines, Building/Site Design, page 209, 7-5

"1. Design to maintain and reinforce the unique scale and character of Middletown"

"• Design with respect for nearby historic buildings and unique neighborhoods of Middletown."

(The planning staff reports indicates there are no historic buildings nearby. The MAP states that the community character should be preserved. It does not state that it should be limited to "nearby" character. (MAP Executive summary 1.0, page 12))

The design does not reinforce the unique scale or character of Middletown.

"• Avoid design consisting largely of boxes with applied design elements."

Elevation design is composed of boxes with applied design elements.

"2. Orient building fronts toward primary corridors."

"• Building frontages should be focused toward the main roadway/sidewalk."

The building frontage is not focused toward the main roadway/sidewalk as picture examples in the MAP indicate. It is a strip mall building turned sideways with a side entrance facing the road.

"• Parking should be avoided between building fronts and roadways"

Parking is to the side rather than back of building.

7.2 Design Guidelines, building/site /design, page 210, 7-6

"4. Avoid visually bulky buildings"

- "• Inset windows as much as possible from wall faces to provide some visual depth to facades. Where interior uses make this difficult, provide exterior trim around windows to achieve some façade depth."
- "• Use a mix of materials that have a smaller scale (e.g., stone, brick, wood siding, and shingles). Avoid concrete block and metal siding or panels.

Inset windows are not used nor is there exterior trim around windows. Metal panels are used, on a large scale, and stone, wood siding and shingles are not used.

7.2 Design Guidelines, building/site /design, page 211, 7-7

"6. Avoid blank walls and service areas which are visible from adjacent streets and Projects"

There are blank walls on the right and rear elevation, and the service areas are visible from the street.

- "7. <u>Utilize</u> solid building forms with "punched" window openings"
- "• Avoid ribbon windows and other types of large window areas."
- "• Limit the amount of typical commercial storefront treatment in favor of smaller window openings."

The proposed building has typical storefront windows not smaller window openings, or "punched" window openings. (The staff report states there are no punched windows)

"8. Provide architectural elements, detailing an ornament to add richness and variety to building facades"

By any reasonable standards of architectural richness or variety, this building fails to comply. Adding a lattice to one wall and having two building height alterations does not constitute architectural richness.

"• Design with a scale consistent with neighboring character, particularly when neighboring residential uses."

The scale and character is not consistent with residential character of the neighborhood directly, and closely, behind the proposed structures location.

"9. Provide a richness of architectural façade depth and detail"

- "• Express columns and beams on the building's exterior."
- "• Provide a number of façade layers
- "• Finish wall tops with overhangs, projecting cornices, and column caps
- "• Use applied and integrated design elements (e.g., exposed rafter tails on sloped roofs, cornice moldings, applied medallions

These are not present. There are no columns or beams, not a number of façade layers, nor are there projecting cornices, column caps, exposed rafters on sloped roofs, cornice moldings or applied medallions.

"11. Utilize colors that are appropriate to the use and the surrounding area"

'• Consider muted tones of blues, yellows, tans, grays and other hues rather than selecting non-distinctive beiges and browns."

The colors are non-distinctive beiges and browns, exactly the colors indicated to be unacceptable.

7.2 Parking, Page 213, 7-9

"3. Subordinate parking to the buildings"

"• Provide low walls and landscaping at parking lot edges adjacent to public street"

There are no low walls at parking edges adjacent to street.

A planning staff report states: "If parking was located behind the building, the orientation of the building would place the long edge of the building facing the street. Parking has been placed to the side of the building minimizing the amount of parking seen from the street and minimizing the amount of building facing the street."

This is exactly opposite of what the MAP specifies is the goal for parking and building orientation both in written descriptions and in pictures. The MAP states: "Building frontages should be focused toward the main roadway/sidewalk" and "Parking should be avoided between building fronts and roadways." Putting the parking beside the building does not make it less visible than behind the building, and the plan specifically encourages that building frontages is what is seen from the road. The developers have chosen a site that cannot accommodate compliance with the MAP. The MAP intent should not be forfeited to accommodate the developers.

7.2, Landscaping, page 213, 7.9

"1. All projects should be well landscaped"

"• Landscaping should have form and substance to define edges and paths, to provide visual focal points and to buffer less desirable views (e.g., less finished facades facing public ways or residences.)"

The proposed landscaping does not provide visual focal points, or buffer less desirable views.

"2. Provide substantial landscaping along street frontages (particularly Calistoga St./Highway 29)."

"• Avoid large amounts of paving between structures and the street sidewalk. If there is a substantial setback, and the area is not used for outdoor dining, over 50% of the front setback should be devoted to green landscaping."

Landscaping is minimal and there are large amounts of paving between the structure and street, and 50% is not devoted to green landscaping.

"3. Provide greater landscape buffering adjacent to residential parcels.

"• Trees and other landscaping should be used increasingly as the density changes from Community Commercial to Local Commercial and then to Residential Districts as a way to soften the noise and activity of the more intense uses."

The elevation indicates the use of Hopseed, a shrub, which will not "Soften the noise and activity" or provide a visual barrier for neighboring residents. Hopseed reaches a mature height of 12 -15 feet. The houses behind the proposed structure are on the other side of a retaining wall which is approximately 9 – 12 feet higher that the development's site. Hopseed is not tall enough to provide screening. The MAP indicates trees should be used.

7.2, Prohibited Signage page 214, 7-10

"5. Use high quality materials"

"• Appropriate materials include finished wood, metal, and for projecting banner signs, woven fabric. Plastic sign materials and signs painted directly onto building surfaces should not be allowed."

Other Dollar general signs appear to be plastic or acrylic not wood or metal. It appears the proposed sign is of the same plastic or acrylic type material. If so it does not meet the materials standards.

"7. Relate sign colors to building colors"

"• Select wall sign colors to blend with the building and storefront colors."

Bright yellow does not blend – it is extremely high contrast to the building colors and surrounding environment.

7.2 Signage Guidelines, wall signs page 216, 7-12

"3. Use Sign materials which project slightly from the face of the building"

"• Use either individually applied letters to the face of the wall, or apply sign letters to a board or panel

mounted on the face."

Again, the sign appears to like other Dollar General signs, a molded plastic or acrylic type material, and therefore not applied sign letters to the wall face or to a board or panel.

In addition to the above very specific development guidelines that are not being met, there are more general points that do not demonstrate compliance:

2.3 Land use, page 34, 2-20

"The community would like to maintain small, local retail shops and discourage fast food or chain stores because they may undermine local retailers and detract from the rural character."

This is a chain store that will undermine local retailers who depend on all sales for survival especially since the Valley fire.

5.0 Community Development Economy, Commercial, page 117, 5-3

"Overall local feeling will lead the economic development effort to concentrate on recruiting **small cottage businesses**"

This development would reduce the desirability of the area for cottage businesses not enhance recruitment.

"County should support the creation and expansion of **commercial facilities and events that attract tourists to the area.** New developments, as well as expansion and infill development, should be **attractive and compatible with the area's existing small-town rural atmosphere and theme** (See Design Guidelines in Chapter 7)"

Dollar General is not compatible with the existing atmosphere and is the antithesis of what tourists are attracted to visit.

5.0 Community Development Economy, Commercial, page 118, 5-4

"The community and County should research the opportunities available for encouraging and supporting small business start-ups and entrepreneurship through business incubator programs. These types of small businesses support the vision and ideals of "cottage industries" and rural character that Planning Area constituents have determined as desirable."

'The towns of Middletown and Coyote Valley should capitalize on **developing tourist related amenities** that are on, or easily accessed from the Highway 29 corridor.

The Dollar General is not a "cottage" industry or tourist related amenity.

5.0 Code Enforcement, page 122, 5-8

"5.1.2b Commercial development shall be consistent with the guidelines of this plan to provide attractive and compatible development, complimentary in theme to existing development."

The Dollar General will is not consistent, or complimentary in theme.

5.5 Land use and zoning, page 165, 5-53

"5.5.1a Commercial development shall be consistent with the design guidelines of this plan to **provide attractive** and compatible development, complimentary in theme to existing desirable architecture within the **Middletown** and Coyote Valley Community Boundaries."

The key word is desirable. The plan outlines objective to maintain or enhance the desirable qualities of local architecture not minimally meet the standard of the lowest quality buildings.

The MAP is very clear as to its objectives both general and specific. The Dollar general project has not remotely shown compliance with the MAP in an abundance of ways. It therefore does not fulfill the requirements set forth by Lake County zoning ordinances Article 51, SEC. 21-5 MAJOR USE PERMIT (a) and Article 56, Sec. 21.56, DEVELOPMENT REVIEW PERMIT (d). In addition, when the small "scale" descriptions are evaluated does not, in its current size, comply with even the most basic guideline – size.

Please do not let a developer, and individuals that do not live in our community, define our community character in opposition to the stated objectives of the MAP. Please respect the Lake County California Zoning Ordinances, the MAP, and the Middletown Area Community's desire that these be followed.

Thank you for your service to Lake County, California.

Sincerely,

Kimberly Haynie

From:

wine@beavercreekvineyards.com

Sent:

Friday, April 14, 2017 4:26 PM

To:

Carolyn Purdy

Follow Up Flag:

Follow up

Flag Status:

Flagged

To whom it may concern,

I absolutely don't agree with building Dollar General store in Middletown. Sincerely,

Martin Pohl

Owner, Winemaker Beaver Creek Vineyards 22000 S State Highway 29 Middletown, CA 95461 Tel.707-987-1069 Fax.707-987-0169

www.beavercreekvineyards.com

BEAVER CREEK VINEYARDS

3

Organic & Biodynamic* Certified

From:

Anne Rubin <annesrubin@vahoo.com>

Sent:

Friday, April 14, 2017 5:39 PM

To:

Anne Rubin

Subject:

Dollar General in Middletown

Follow Up Flag:

Follow up

Flag Status:

Flagged

Dear Supervisor,

Please vote against allowing Dollar General to set up shop in Middletown. Their stores are not a fit with the Middletown Area Plan, not to mention the character and charm of our town.

Additionally, their plan is to build across the street from the school. This will entice students to cross a very busy thoroughfare repeatedly, thus risking their lives, as well as disrupting the flow of traffic.

As if this isn't enough, the planned store will abut homes newly re-built after the Valley Fire. Haven't these people suffered enough? Why should they now have to see this eyesore on a daily basis, not to mention hearing the big rigs delivering goods at all hours.

Please consider the feelings and wishes of the Middletown area residents and vote accordingly. Thank you.

Anne Rubin

From:

hal muskat <phoenix@rainbowpuddle.com>

Sent:

Saturday, April 15, 2017 11:45 AM

To:

Carolyn Purdy; Moke Simon; Jeff Smith; Jim Steele; Tina Scott; Rob Brown

Subject:

Dollar General in Middletown

Follow Up Flag:

Follow up Flagged

Flag Status:

Dollar General in Middletown

To Whom It May Concern:

- 1. The proposal is in direct opposition to the stated (Middletown Area) plan and the often articulated desires of Middletown residents.
- 2. We don't want it.
- 3. Who is Dollar General paying off to keep this alive?
- 4. There will be 1 or no local jobs.
- 5. The design sucks! It has nothing to do with Middletown.
- 6. We don't want it.
- 7. We need merchants who will sell quality merchandise. If we need Made in China plastics, Walmart is a short bus ride away.

Please represent us and not your own interests.

Hal Muskat Hidden Valley Lake

Carolynn Spezza PO Box 1755 ■ Middletown CA 95461 ■ carolynn.spezza@icloud.com

April 17, 2017

Lake County Board of Supervisors 255 North Forbes Street Lakeport, CA 95453

RE: Please honor Planning Commission's denial of Major Use Permit

Dear Board of Supervisors,

Our family appeals to your leadership: Please honor the Planning Commission's findings that the Middletown Dollar General Major Use Permit application must be denied.

As Middletown moves through inevitable growth in the coming decades, let us carefully preserve the spirit of this unique town and develop locally owned businesses that will continue strengthening Middletown's position as a beautiful gateway into Lake County.

Middletown Area Plan

Although I do not possess comprehensive knowledge of the Middletown Area Plan, I understand Chapter 7 of the Plan outlines guidelines to support us in strategically growing Middletown in a manner that will protect the aesthetics, locally owned businesses, and property values in our community. Dollar General is not aligned with these guidelines. For instance, Dollar General's proposed building violates the following portions of the Middletown Area Plan:

- Avoid visually bulky buildings
- Utilize high quality building materials and details
- Avoid blank walls and service areas.
- It is important that development provide a positive initial impression that complements the natural setting and predominately rural character of the area. Not only does this create a good aesthetic impression on travelers, but a well designed community increases community pride and economic viability.
- Projects should possess a "village" scale and character that is sensitive to the scale and livability of the adjacent residential areas.

Clearly, Dollar General's proposed building is not aligned with these guidelines. Nor does the community want it.

Our Family's Story: Why we are motivated to preserve Middletown's uniqueness & beauty.

When our family moved to Middletown from Napa three years ago, we planned for only our *house* to be in Middletown. Our work and community lives would remain in Napa. But then, within two weeks of our move my husband and I simultaneously discovered that Middletown is so much more than a town with a house for us to live in. There is something special about this place. It caught each of us off guard. Life unfolded in a richer way here, and at a slower pace. The cashiers at Hardester's looked us in the eye. Fellow shoppers apologized if their cart almost knocked into ours.

The shopkeepers in small, locally owned stores had both the time and interest to engage our children in conversation.

We feel captivated by a community culture that is so different from what we experience elsewhere. Time and time again, life in Middletown fills our souls and inspires us to live a little deeper. Our children feel it too. They fiercely articulate their desire to spend less and less time in Napa and other surrounding communities. ... When people in Napa ask our family how we like Middletown, we enjoy responding, "We do not like Middletown. We LOVE Middletown!

As the years pass, our love for this special town only grows. The land and the community here are alive with uniqueness and beauty.

Cheap, Accessible Junk Food Near Schools

In 2003 the Centers for Disease Control released a report estimating that one in three U.S. children born in 2000 will develop Type II Diabetes during their lifetime. Although Middletown may not (yet) possess specific ordinances to protect our children from this mammoth threat, leaders at state and federal levels are scrambling to protect our children from easy access to cheap food that *literally* destroys the body. As the adults and leaders in the community, it is our honorable responsibility to lessen ready access to substances that harm our children.

As a mother and social worker, it is difficult to think of a more alluring source of "food" linked with Type II Diabetes for our youth to purchase than aisles of shiny packages sold for one dollar a piecein ready walking distance from our community's middle school *and* high school. <u>Please</u> take advantage of the Planning Commission's denial of this permit as an opportunity to protect our children from the critical health risks our youth face.

Honoring and Protecting

Looking at the hillsides of our lovely little town, strolling along its sidewalks, or smiling at people in small shops: These are vivid reminders of the beauty we hold in our hands. Too often in life we do not know what we have until we have lost it. Together, may we ensure Middletown's beauty is not lost on our watch.

Thank you for considering our family's request.

Sincerely,

Carolynn Spezza Middletown Resident

From:

leonard fadeeff < lfadeeff@yahoo.com>

Sent:

Monday, April 17, 2017 2:40 PM

To:

Carolyn Purdy

Subject:

dollar store

no dollar store for middletown.Let the votes know.

leonard fadeeff

From:

Ted Helminski <tedhelm@gmail.com>

Sent:

Monday, April 17, 2017 2:52 PM

To: Subject: Carolyn Purdy Dollar General

Dear Sirs,

I am unable to attend the Board of Supervisors meeting tomorrow, However I wish to voice my strong opposition to the Dollar General Store in Middletown. How can Lake county every hope to become the northern wine country with the Garish Dollar General Store welcoming visitors from Calistoga and the rest of Napa county. Good by upscale visitors seeking an experience of an as yet unspoiled wine country.

Ted Helminski 18975 Stonegate Road Hidden Valley Lake, CA 95467

From:

JoAnn Saccato, MA < joannsaccato@cluemail.com>

Sent:

Monday, April 17, 2017 2:55 PM

To:

Carolyn Purdy; Moke Simon; Jeff Smith; Jim Steele; Tina Scott; Rob Brown

Subject:

Proposed Dollar General Store Application for Middletown

Dear Lake County Board of Supervisors,

I'm concerned about the design of the proposed Dollar General store for Middletown. It doesn't seem in alignment with the Middletown Area Plan (MAP). If I understand the codes correctly, this is required for a project such as this.

As someone who grew up in Lake County, I would like to see our small town character and integrity preserved. In our area's effort to recover from the devastating fires of 2015, adhering to the design vision of the community seems critical as we rebuild.

I have seen pictures of designs by Dollar General in other communities that would fit better with Middletown's small town identity and the requirements of the MAP. I encourage the Lake County Board of Supervisors to uphold the planning commission's decision and follow the Lake County General Plan and MAP requirements by denying this project as proposed.

Thank you for your continued service to our growing community.

Kindly,

JoAnn Saccato P.O. Box 1332 Cobb, CA 95426

From:

Dr. Will Tuttle <willtuttle@earthlink.net>

Sent:

Monday, April 17, 2017 3:21 PM

To:

Carolyn Purdy

Subject:

Dollar General in Middletown

Follow Up Flag:

Follow up

Flag Status:

Flagged

Dear Board of Supervisors of Lake County:

Please do all that you can to DENY a permit for the Dollar General Stores building just north of Middletown on Highway 29!!!

Besides the economic devastation of siphoning funds out of the county, and the social destruction of harming our community and reducing Middletown to being just another ugly chain-store town, there are the negative Design and Environmental impacts.

We are working to build up local, creative, indigenous artistic and economic resources, and this is a direct slap in the face of these efforts. We are also trying to have more environmental sustainability, and everything about Dollar General is toxic plastic imported from outside the country.

We need to think globally and act locally. Dollar General represents the very worst of what is destroying our planetary ecosystems today.

We urge you in the strongest possible terms to DENY this permit to Dollar General!!!

Sincerely,

Dr. Will Tuttle & Madeleine Tuttle 18257 North Shore Drive Hidden Valley Lake, CA 95467

From:

Stacey Webb <skswebb@gmail.com>

Sent:

Monday, April 17, 2017 3:31 PM

To:

Carolyn Purdy

Subject:

Dollar General

Dear Ms. Purdy

Please reconsider the approval of Dollar General from moving forward to building in Middletown. As a resident of 19 years, I firmly believe it would have a negative impact on our community in so many ways. As of now, we have not allowed any chain stores in and I believe setting a precedent with Dollar General would not only hurt our local businesses but change the character and rural feel to our small town. I would never have moved here if there was a Dollar General store in town in the first place! And I will probably not stay if it goes in. We will lose our small town feel and appeal if it is allowed in. Both the small towns of Calistoga and St. Helena have not allowed large chain stores in their communities and have not suffered one bit. As we continue to grow as a wine growing and tasting area, I encourage you to consider the negative impact of Dollar General on our quaint rural community. Please do the right thing and stop Dollar General from moving into Middletown. Thank you, sincerely, Stacey Webb Sent from my iPhone