

LAKE COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

October 24, 2019

Commission Members

P John Hess, District I
P Bob Malley, District II
P Batsulwin Brown, District III
A Christina Price, District IV
P Daniel Suenram, District V

Staff Members

A Michalyn DelValle, Director
P Byron Turner, Principal Planner
P Nicole Johnson, Deputy Cty Counsel
P Danae LoDolce, Office Assistant III

REGULAR MEETING

October 24, 2019

9:00 a.m. CALL TO ORDER

Pledge of Allegiance was led by John Hess.

Comm. Malley moved, 2nd by Comm. Suenram to approve the minutes from June 27, 2019, July 11, 2019, August 8, 2019. Comm. Malley moved, 2nd by Comm. Brown to approve the minutes from September 12, 2019 and Comm. Malley moved, 2nd by Comm. Suenram to approve the minutes from September 26, 2019.

9:00 a.m. CITIZEN'S INPUT - None

9:05 a.m. Public Hearing on consideration of a Major Use Permit (UP 19-14), Variance (VR 19-03) and Categorical Exemption (CE 19-28). The project applicant is OPHIRA PROCESSING LLC proposing Type 6 non-volatile cannabis oil extraction in an existing structure and Type 11 Cannabis Distributor License. The project is located at 109 Soda Bay Road, Lakeport and further described as APN 008-019-60. (Byron Turner)

10:18 a.m. Public Hearing on consideration of a Major Use Permit (UP 19-09). The project applicant is VALLEY OAKS LAND DEVELOPMENT proposing a Major Use Permit for a new 18,000 sq. ft. grocery store (Grocery Outlet) and new access road. The project is located at 18196 & 18426 S. State Highway 29 and 18765 Hartmann Rd., Hidden Valley, CA and further described as APNs 014-260-51, 014-260-24 and 014-260-36. Environmental Evaluation: Previously approved EIR and Addendum. (Byron Turner)

Comm. Hess disclosed that he is friends with Fletcher Thornton and Ken Porter and they have discussed the project a number of times.

Byron Turner, Principal Planner, provided background information and a power point presentation of the project application. He said that the applicant has requested changes to the following conditions:

- #18 – To the maximum extent feasible, methods other than burning shall be used to minimize air quality impacts

- #23-#25 – These are general landscaping conditions that do not apply to the specific project site.
- #26 – Within Valley oaks village, there shall be a fifty (50) foot wide landscape/open space easement along the property line adjacent to Hartmann Road from Valley Oaks Boulevard to Parcel G.
- Proposed: The applicant is requesting the setback be reduced to 7 to 10 feet, due to the loss of land provided to Caltrans for the roundabout.

Mr. Turner went on to say that because these conditions are addressing the entire site, staff is not recommending changing them at this time, because they are dealing with one specific location and that will be landscaped appropriately. He addressed additional requested changes to conditions:

- #33-#36 – Conditions relating to signs, including the prohibition of billboards and signs visible from Highway 29.
- Proposed: The applicant is requesting that all signage be subject to Lake County Zoning Ordinance Section 25.
- Analysis: Staff does not support changing the Conditions of Approval with regard to billboards or signage on property deemed Open Space. The requirement that “Commercial freestanding or commercial wall signs that are visible from Highway 29 are prohibited” may make it difficult for the applicant to find tenants in the Commercial property, if signage is not visible from Highway 29.

Mr. Turner said that they have added some additional conditions:

- #51 – Pursuant to the Traffic Analysis prepared by W-Trans, a left-turn lane is required for any further development beyond what is authorized with this permit.
- #52 – MS4 (stormwater permit)

Comm. Malley asked about the roundabout and the distance between Hwy. 29 exit to the entrance of the new roadway and how far it is.

Ken Porter, KIMCO Development Representative, said it was about 1/10th of a mile. He said the new proposed left turn pocket is 528 feet long and fits within the County right-of-way. He said they did an additional traffic study to analyze the road and they call it; Oak Meadow Drive and to analyze Oak Meadow Drive coming into Hartmann Road, in that traffic study they recommended any additional building a left hand lane would be required.

Comm. Malley said his concerns are for during times specific, and people coming home from work. He said they will get to that point and get something at the store, and there is a potential of stacking up five or six cars making a left turn. He said that would be his concern in going to a left turn pocket.

Comm. Hess also shared the same concerns and said why not put in that left turn pocket. He also shared his concerns with setbacks. He said the ground has already been prepared, but you are now asking for a variance, which he felt was putting the cart before the horse.

Mr. Porter provided pictures of a site plan and elevations to the Commission. He said that they stopped preparing the land when they were told they needed a permit.

10:42 a.m. Opened Public Hearing

Claude Brown, Hidden Valley Lake resident, spoke to shopping outside the County, because of the lack of businesses similar to this. He said it is time to work something out and get this project moving relatively soon for the community and the County. He thought it was a viable project and was in support of it.

10:44 a.m. Closed Public Hearing

Comm. Hess said he was in support of this project.

Comm. Malley asked if the Middletown Area Plan extended out to Hidden Valley.

Mr. Turner said the Area Plan does cover Hidden Valley and there is a specific section of the plan that refers Coyote Valley. He said that is extensively covered with all the conditions of approval for the entire Valley Oaks Project.

Comm. Malley asked if what is in front of us will satisfy the Area Plan as far as the aesthetics.

Mr. Turner said for that portion of the Area Plan, yes. He said the way that Specific Plan of Development was written, we are back here whenever they try to develop something. He said this is the first specific sub-plan of development and each subsequent phase will be brought here depending if it's a minor a major use permit.

Fletcher Thornton thanked the County Planning and Building department and looked forward to working with them in the future and personally thanked Mr. Turner and Ms. DelValle for their support.

Comm. Brown asked Mr. Porter if there was a cultural monitor involved in the recent earth moving that was not permitted.

Mr. Porter said that they were involved.

Comm. Hess said the rules are that the Chair cannot make the motion if the project is in their district, but he is giving up the chair for this motion, because he supports this project and would like to make the motion, because it is in District I.

Comm. Hess moved, 2nd by Comm. Malley that the Planning Commission certify that the Addendum to the Environmental Impact Report prepared by the Planning Division for the Valley Oaks project Phase 1 has been completed in compliance with CEQA and Section 15164 of the State CEQA Guidelines.

Addendum to EIR 4 Ayes 0 Noes 1 Absent (Comm. Price)

Comm. Hess moved, 2nd by Comm. Malley that the Planning Commission find that the Use Permit (UP 19-09) applied for by Kimco Inc. on property located at Highway 29 and Hartmann Road, Hidden Valley, Middletown 18196 and 18426 South State Highway, Middletown, and 18765 Hartmann Rd., APN 014-260-51, 14-260-24, 14-260-36, does meet the requirements of Section 51.4 of the Lake County Zoning Ordinance and that the Planning Commission has reviewed and considered the EIR and Addendum which was adopted for this project and the Use Permit be granted subject to the conditions and with the findings listed in the staff report dated October 10, 2019.

Use Permit Approval 4 Ayes 0 Noes 1 Absent (Comm. Price)

Comm. Suenram noted that there is a seven (7) calendar day appeal period provided by the Lake County Zoning Ordinance.

- For further details, discussion and public comments on the above items from the above Planning Commission Hearing, please go to the following link: <https://countyoflake.com/calendar.aspx>

STAFF UPDATE

Michalyn DelValle, Community Development Director, updated the Commission on the vacancies in the department and that they have hired two new planners. She announced that a new Chief Building Official has started this week and his name is David Casian. She also said that the remodel of the office is ongoing and should be completed within the next couple of weeks.

ADJOURNED 10:53 a.m.

John Hess, Chair
Lake County Planning Commission

Respectfully Submitted,

By: _____
Danae LoDolce
Office Assistant III