



Legislation Text

File #: 22-851, Version: 1

Memorandum



COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Telephone 707/263-2221 FAX 707/263-2225

Item 7

9:30 AM

August 11, 2022

STAFF REPORT

TO: Planning Commission

FROM: Mary Darby, Community Development Director
Prepared by: Eric Porter, Associate Planner

DATE: August 11, 2022

RE: **Konocti Christian Academy; Major Use Permit (UP 21-52) and Initial Study (IS 21-54);** for development of a private K-9 grade school; located at 5805 Live Oak Drive, Kelseyville (APN: 008-061-72)

Supervisor District 5

- ATTACHMENTS:**
1. Vicinity Map
 2. Site Plan dated August 1, 2022
 3. Agency Comments
 4. Initial Study IS 21-54 and Addendum to IS
 5. Conditions of Approval
 6. Traffic Study, W-Trans, dated June 8, 2022
 7. Public and Attorney Comments
 8. On-Site Drainage Letter, from Bill Vanderwall, P.E., dated January 6, 2022

I. EXECUTIVE SUMMARY

The applicant requests approval of a Major Use Permit for a new Pre-kindergarten through 9th grade private school for Konocti Christian Academy. The Project consists of seven (7) portable (24' x 40') classrooms and one (1) 24' x 40' office building; one 12' x 40' restroom building; 3,124 sq. ft. playground; 4,700 sq. ft. basketball court; 9,000 sq. ft. grass area; one (1) 10' x 6' wall-mounted sign; 14,570 sq. ft. gravel parking lot containing 33 parking spaces with two (2) ADA parking spaces; 19 cedar trees planted along rear property line; 14 crepe myrtle trees planted along Live Oak Drive and the southern end of the property; two (2) bioswales for on-site stormwater drainage retention; one (1) 2,600 sq. ft. shade structure and eating area; 10' x 8' trash enclosure, and 12,157 sq. ft. grass field. The property will be enclosed by a six-

foot (6') tall chain-link fence. The applicant estimates that there will be up to 150 pick-ups and drop-offs daily during school days.

Construction activities will include the following:

- Estimated to take place over a 7 month period;
- Minimal site disturbance is needed. The site is flat, and some pad preparation will be required for: eight new 24' x 40' portable classroom buildings; a 12' x 20' restroom building; the installation of the grass and a basketball court; the gravel parking lot on-site; and, the public improvements to the shoulder of Live Oak Drive adjacent to the school.
- Construction hours to be between 7:00 am and 5:00 pm Monday through Saturday.
- Trenching will be required for underground electrical installation. Approximately 1000 lineal feet of trenching will occur displacing between 30 and 40 cu. yds. of earth. Up to 50 cubic yards of earth can be moved with no grading permit required.
- Five workers are anticipated for school construction.
- Construction equipment is expected to include a small excavator, a track loader, pickup trucks used by employees; an estimated 24 trips by larger trucks delivering the portable classrooms and construction materials.
- Equipment staging to take place on site within the 14,570 sq. ft. on-site gravel parking area.
- No trees will be removed by this project.
- No water courses are impacted by this project.
- All disturbed areas to be enclosed by straw wattles.
- Dust control will be from palliatives applied to pads using public water.
- Power to be provided by PG&E.

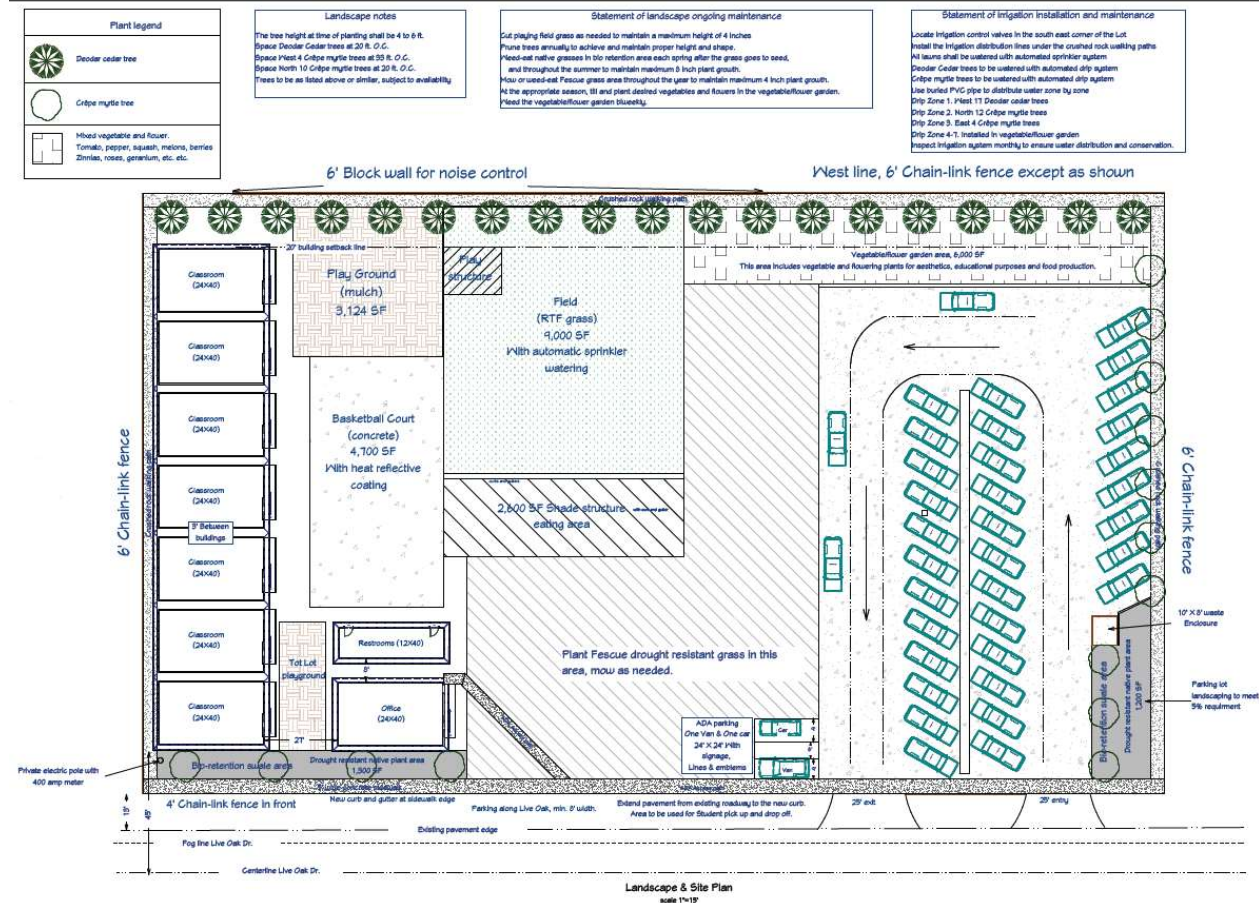
Operations are as follows once the school is open for students:

- The school will be occupied by students and staff between the hours of 7:45 am to 5:30 pm Monday through Friday.
- A maximum of 150 students is anticipated.
- 15 staff members are anticipated.
- "Will Serve" letters from public water and sewer provider have been received.
- Up to 150 pick-ups and drop-offs to occur daily, however these times will be staggered based on the different grades.
- Exterior lighting to consist of security lighting only.
- No food preparation will occur on site. All lunches will be brought by students.
- On-site security to be provided by the Principal and Vice Principal.
- On-site security cameras to be installed for vandalism prevention and student security.
- The school practices fire drills in case of a fire. Emergency access to occur from Live Oak Drive if needed.

An evaluation for compliance with the California Environmental Quality Act (CEQA) was undertaken for this project. It was determined that any impacts caused by the project can be mitigated. This CEQA evaluation is later in this report.

Staff recommends **Approval with Conditions** of UP 21-52 and **Adoption** of IS 21-54 for the Konocti Christian Academy.

Figure 1. Site Plan



Source: Revised Site Plan submitted by Applicant July 28, 2022

II.RECOMMENDATION

Staff recommends that the Planning Commission:

A. Adopt mitigated negative declaration (IS 21-54) and the Addendum to the Initial Study for Use Permit (UP 21-52) with the following findings:

1. Potential environmental impacts related to aesthetics can be mitigated to less than significant levels through mitigation measures AES-1, AES-2 and AES-3.
2. Potential environmental impacts related to air quality can be mitigated to less than significant levels with the inclusion of mitigation measures AQ-1, AQ-2, AQ-3 and AQ-4.
3. Potential environmental impacts related to cultural / tribal resources can be mitigated to less than significant levels with the inclusion of mitigation measures CUL-1 and CUL-2.
4. Potential environmental impacts related to hydrology can be mitigated to less than significant levels through the inclusion of mitigation measure HYD-1.
5. Potential environmental impacts related to Noise can be mitigated to less than significant impacts with mitigation measures NOI-1 and NOI-2.
6. Transportation-related improvements are needed and are added as mitigation measures TRANS-1 and TRANS-2 to enable safe on-street parking and the relocation of the bioswale along Live Oak Drive, which was not

properly engineered, and which reduce potential transportation-related impacts to 'less than significant' levels.

7. As mitigated through specific mitigation measures and subsequent conditions of approval, this project will result in less than significant environmental impacts.

B. Approve Use Permit UP 21-52 with the following findings:

1. That the establishment, maintenance, or operation of the use applied for will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, or be detrimental to property and improvements in the neighborhood or the general welfare of the County.
2. The site is adequate in size, shape, locations, and physical characteristics to accommodate the type of use and level of development proposed.
3. The streets, highways and pedestrian facilities can be mitigated to be reasonably adequate to safely accommodate the proposed use.
4. That there are adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.
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.
6. That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis.
7. Any changes to the project will require either an amended Use Permit and/or a new Use Permit unless the Community Development Director determines that any changes have no potential increased environmental impacts.

SAMPLE MOTIONS

Mitigated Negative Declaration (IS 21-54)

I move that the Planning Commission find that the **Initial Study (IS 21-54)** applied for by **Konocti Christian Academy** on property located at **5805 Live Oak Drive , Kelseyville**, and further described as **APN: 008-061-72** will not have a significant effect on the environment and therefore a mitigated negative declaration shall be approved with the findings listed in the staff report dated **August 11, 2022**.

Major Use Permit (UP 21-52)

I move that the Planning Commission find that the **Use Permit (UP 21-52)** applied for by **Konocti Christian Academy** on property located at **5805 Live Oak Drive , Kelseyville**, and further described as **APN: 008-061-72** does meet the requirements of Section 51.4 of the Lake County Zoning Ordinance and the Major Use Permit be granted subject to the conditions and with the findings listed in the staff report dated **August 11, 2022**.

***NOTE:** The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is a disagreement with the Planning Commission, an appeal to the Board of Supervisors may be filed. The appropriate forms and applicable fee must be submitted prior to 5:00 p.m. on or before the seventh calendar day following the Commission's final determination.*