

## Planning Commission Minutes

July 18, 2017

### 1. Call to Order

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Chairperson Nuck called the regular meeting of the Planning Commission of the City of King to order at 6:00 p.m.

### 2. Pledge of Allegiance

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Chairperson Nuck led the Commission and audience in the Pledge of Allegiance.

### 3. Roll Call

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Chairperson David Nuck X Vice Chair David Mendez X  
Michael Barbree X Margaret Raschella X Ralph Lee X

**Staff present:** Community Development Director, Doreen Liberto; Don Funk, Principal Planner; Maricruz Aguilar, Asst. Planner;

### 4. Public Comments

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None

### 5. Presentations

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None

### 6. Consent Calendar

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All matters listed on the Consent Calendar are considered routine and may be approved by one action of the Planning Commission, unless any member of the Planning Commission wishes to remove an item for separate consideration.

#### A. Approval of Minutes: June 20, 2017

**Action:** Motion made by Commissioner Barbree to approve minutes of June 20, 2017. Seconded by Commissioner Mendez. Motion carried 5-0.

### 7. Non-Public Hearing Items -None

Commissioner Raschella recused herself for Item A.

### 8. Public Hearing Items

- A. Consideration: Conditional Use Permit Case No. CUP2016-003 for construction of a new small cell site within the existing public right-of-way along N. Vanderhurst Avenue.

Asst. Planner Aguilar introduced this item using her power point presentation.

Chair Nuck opened the public hearing.

The applicant spoke in agreement with the conditions of approval. He explained the purpose for the site.

Commissioner Barbree was questioned locations and the applicant stated that they are strategically placed for best service.

Chair Nuck asked the applicant if they will be paying rent to the City. He said that he was going to get an encroachment permit however no lease has been discussed.

The maintenance of the equipment on the poll will be the applicant's responsibility, except for the maintenance of the camera which would be the City's responsibility.

Bill Lipe, president here in King City, exciting for this kind of technology coming to King City.

Commissioner Barbree would like to see more where we need more lights down the street.

Roy Morris, 414 Ellis St apartment owner, he feels that it is good place for some kid to get hurt between the space from the sidewalk to the curb. He feels that the electrical box is a good place for graffiti and the kids will be climbing the poles. He doesn't object to the pole but the electrical box he does have a problem with.

The applicant stated that language can be added to the COA for the graffiti and that it needs to be removed immediately. Ground equipment could be moved to the pole however the ascetics are not preferred by the City staff.

Condition of Approval # 13 for graffiti five days from notification from the City.

Addition of Condition of Approval #17 Indemnification prior to the encroachment permit to address all potential concerns related to damage and injury to private property owner(s) to be approved by the City Attorney.

Chair Nuck closed the Public Hearing.

Motion made by Commissioner Barbree approving Conditions of Approval #13 graffiti and adding #17 to the Conditions of Approval for indemnification. Seconded by Commissioner Mendez. Motion carried 4-0. (Raschella recused so absent)

Action: Motion made by Commissioner Mendez adopting Resolution No. 2017-182, which finds the project Categorical Exempt from CEQA and approves Conditional Use Permit Case No. CUP2016-003, with amended Conditions of Approval. Seconded by Commissioner Lee. Motion carried 4-0. (Raschella recused so absent)

- B. Consideration: Conditional Use Permit Case No. CUP2016-004 for construction of a new small cell site within the existing public right-of-way along Ellis Street.

Asst. Planner Aguilar introduced this item.

Chair Nuck opened the public hearing, seeing no one come forward Chair Nuck closed the public hearing.

Motion made by Commissioner Barbree approving Conditions of Approval #13 graffiti and adding #17 to the Conditions of Approval for indemnification. Seconded by Commissioner Mendez. Motion carried 5-0

Action: Motion made by Commissioner Mendez adopting Resolution No. 2017-183, which finds the project Categorical Exempt from CEQA and approves Conditional Use Permit Case No. CUP2016-004, with amended Conditions of Approval #13 to include graffiti and add #17 to include indemnification. Seconded by Commissioner Barbree. Motion carried 5-0.

- C. Consideration: Conditional Use Permit Case No. CUP2017-004 for construction of a new small cell site within the existing public right-of-way along Franciscan Way.

Asst. Planner Aguilar introduced this item.

Chair Nuck opened the public hearing, seeing no one come forward Chair Nuck closed the public hearing.

Motion made by Commissioner Barbree approving Conditions of Approval #13 graffiti and adding #17 to the Conditions of Approval for indemnification. Seconded by Commissioner Raschella. Motion carried 5-0

Action: Motion made by Commissioner Barbree adopting Resolution No. 2017-181, which finds the project Categorical Exempt from CEQA and approves Conditional Use Permit Case No. CUP2017-004, amended Conditions of Approval #13 to include graffiti and add #17 to include indemnification. Seconded by Commissioner Raschella. Motion carried 5-0.

- D. Consideration: Amendment to Conditional Use Permit Case No. CUP2016-007 to Replace the Public Information Kiosk Located on the Near Corner of Broadway Street and Canal Street with a Wind Sculpture and Directional Sign.

Principal Planner Funk introduced this item.

Commissioner Mendez would like O'Reilly's to resubmit a landscaping plan and not do sculptures. Commissioner Barbree would like to see local artists have an opportunity to create the wind sculptures.

Chair Nuck opened the public hearing, seeing no one come forward Chair Nuck closed the public hearing.

Action: Motion made by Commissioner Barbree approving findings as presented. Seconded by Commissioner Lee. Motion carried 5-0.

Action: Motion made by Commissioner Barbree approving amendments to CUP2016-007 conditions of approval, (conditions #29 and #30). Seconded by Raschella. Motion carried 5-0.

Action: Motion made by Commissioner Lee to look for a wind structure of a minimum height at the bottom of 12 feet and to be structurally designed to withstand a 25-year King City wind storm. Seconded by Commissioner Barbree. Motion carried 5-0.

**9. Regular Business- None**

**10. Planning Commission Report –**

**11. Director Reports-**

- a. Relocation of Greyhound Bus Stop

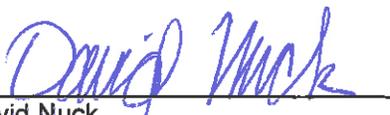
They are not consistent with the Historic Downtown. The two locations are Full Stop Market on South San Lorenzo and the existing MST stop on Canal St. using the 7-11 as the ticket office. McDonald's is a third option with online sales.

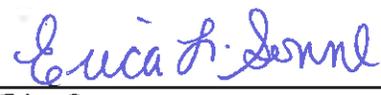
Planning Commission suggested Ozzy's Mini-mart and Garden House.

**12. Written Correspondence– None**

**13. Adjournment**

There being no further business, the Planning Commission meeting was adjourned at 7:59 p.m.

  
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David Nuck  
Planning Commission Chairperson  
City of King

  
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Erica Sonne  
Planning Commission Secretary  
City of King