

AGENDA

REGULAR MEETING OF THE PLANNING COMMISSION

TUESDAY, OCTOBER 6, 2020
6:00 P.M.

Council Chambers, City Hall
212 S. Vanderhurst Avenue, King City, CA

**Teleconference and Conference call services will be available for the meeting.*

To join the meeting, select ONE of the options below:

1) Click on the following link: [Join Microsoft Teams Meeting](#)

2) *Copy and paste the full link highlighted below into your internet browser:*

https://teams.microsoft.com/l/meetup-join/19%3ameeting_NWY3N2I3MjctMjIwMS00OWRkLWFiNGMtZjMyMzIzZWQ2ZjUz%40thread.v2/0?context=%7b%22Tid%22%3a%22446c5f0b-67e0-4a70-9b14-a5510f9d6ff4%22%2c%22Oid%22%3a%227bd9b36f-8dd8-4f7e-9cd1-c285882c4058%22%7d

3) Call the following number +1 619-327-9987 (toll) and enter in
Conference ID: 890 471 897#

1. CALL TO ORDER

2. FLAG SALUTE

3. ROLL CALL:

Planning Commission Members: Oscar Avalos, Paulette Bumbalough, David Mendez, Brett Saunders, and Chairperson David Nuck

4. PUBLIC COMMENTS

Any person may comment on any item not on the agenda. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD. Action may not be taken on the topic, unless deemed an urgency matter by a majority vote of the Planning Commission. Topics not considered an urgency matter might be referred to City staff and placed on a future agenda, by a majority vote of the Planning Commission.

5. PRESENTATIONS

None

6. CONSENT AGENDA

All matters listed under the Consent Agenda 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. Meeting Minutes of September 15, 2020 Planning Commission Meeting
Recommendation: Approve and file.

7. NON-PUBLIC HEARINGS

A. None

8. PUBLIC HEARINGS

A. Project: Continued Hearing - Amendment No. 1 to the Mills Ranch Specific Plan and Mills Ranch Design Manual Amendment

Applicant: City of King

Location: Mills Ranch Specific Plan area

Consideration: The proposed project includes but not limited to the following:

1. Amend Introduction pages (e.g., names of staff, commissioners, council members).
2. Amend the Mills Ranch Specific Plan project description, including:
 - Reduce Central Community Park from 3.34 acres to ½ acres.
 - Reduce total project park/open space from 17.61 acres to 14.76 acres.
 - Remaining 2.84 acres to be developed into 40 affordable housing units and one live-in manager's unit for a total of 41 units (@14 dwelling units/acre).
 - Increase total dwelling units from 400 to 441 units.
 - Adopt the Site Plan for an affordable housing project.
3. Change all graphics, including tables, to reflect above including the proposed CHISPA footprint for 41 units.
4. Add a new theme and architectural type for the CHISPA proposal.
5. Update General Plan Goals and Policies for amendment and keep General Plan Goals and Policies for originally approved Specific Plan.
6. Add language regarding Consistency Determination.
7. Incorporate graphics and language from Planning Commission Interpretation on the Mills Ranch Specific Plan Amendment related to fences.
8. Add language regarding allowing the community development director to make findings of substantial conformance.
9. Add language regarding construction of sheds.

Recommendations: Staff recommends the Planning Commission continue the public hearing to October 20, 2020 for consideration.

Environmental
Determination:

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the CEQA Guidelines, In-Fill Development Projects, as the project is consistent with the General Plan and zoning as modified by specific plan, is less than five acres in size, has no value as habitat for endangered, rare or threatened species, can be served by existing utilities and public services, and will have no significant traffic, noise, air or water quality effects.

9. PLANNING COMMISSIONER REPORTS

**10. DIRECTOR'S REPORT –
A.**

11. WRITTEN CORRESPONDENCE

12. ADJOURN

UPCOMING REGULAR MEETINGS

OCTOBER 2020

October 6th	6:00 p.m.	Planning Commission
October 12th	6:00 p.m.	Airport Advisory Committee
October 13th	6:00 p.m.	City Council
October 19th	6:00 p.m.	Recreation Commission
October 20th	6:00 p.m.	Planning Commission
October 27th	6:00 p.m.	City Council

NOVEMBER 2020

November 3rd	6:00 p.m.	Planning Commission
November 9th	6:00 p.m.	Airport Advisory Committee
November 10th	6:00 p.m.	City Council
November 16th	6:00 p.m.	Recreation Commission
November 17th	6:00 p.m.	Planning Commission
November 24th	6:00 p.m.	City Council

ADT: Average daily trips made by vehicles or persons in a 24-hour period

ALUC: Airport Land Use Commission

AMBAG: The Association of Monterey Bay Area Governments. The AMBAG region includes Monterey, San Benito and Santa Cruz Counties, and serves as both a federally designated Metropolitan Planning Organization and Council of Government. AMBAG manages the region's transportation demand model and prepares regional housing, population and employment forecast that are utilized in a variety of regional plans.

APCD: Air Pollution Control District

AR: Architectural Review

BMP: Best Management Practice, Bike Master Plan

CAP: Climate Action Plan

CC&Rs: Covenants, Conditions, and Restrictions (private agreements among property owners; the City has no authority to enforce these)

CDBG: Community Development Block Grant (a federal grant program designed to benefit low and moderate income persons)

CEQA: California Environmental Quality Act

CFD: Community Facilities District

COG: A council of government, or regional council, is a public organization encompassing a multi-jurisdictional regional community. It serves the local governments by dealing with issues that cross political boundaries.

CUP: Conditional Use Permit

EIR: Environmental Impact Report

EIS: Environmental Impact Statement

Ex-Parte: Communication between Planning Commissioners and applicants outside of a public meeting

FEMA: Federal Emergency Management Agency

GHG: Greenhouse gas

HOME: Home Investment Partnership Act (a federal program to assist housing for low and moderate income households)

HCP: Habitat Conservation Plan

HCD: State Department of Housing & Community Development

HUD: U.S. Department of Housing and Urban Development

LAFCO: Local Agency Formation Commission

LID: Low Impact Development (measures to reduce rainwater runoff impacts)

LLA: Landscaping and Lighting District

LOS: Level of Service (a measurement of traffic efficiency used by Caltrans)

MMTC: A multimodal transit center includes a combination of alternative modes of transportation so people do not have to only rely on vehicles.

MMTC: Multi-modal Transit Center

MOU: Memorandum of Understanding

MND: Mitigated Negative Declaration

MPO: A metropolitan planning organization is a federally mandated and federally funded transportation policy-making organization, such as AMBAG, that is made up of representatives from local government to help implement transportation projects and projects.

Neg Dec: Negative Declaration (a CEQA statement that a project will not have a significant effect on the environment)

NEPA: National Environmental Policy Act

SLOCOG: San Luis Obispo Council of Government

SOI: Sphere of Influence.

TAMC: The Transportation Agency for Monterey County develops and maintains a multimodal transportation system for Monterey County. TAMC consists of local officials from each Monterey city (12 cities) and five (5) county supervisorial districts, and ex-officio members from six (6) public agencies.

TOT: Transient Occupancy Tax

Variance: A form of relief from zoning development regulations based on physical constraints of a property that prevents development of the same type of buildings allowed on other properties within the same zone and in the same neighborhood

VMT: Vehicle Miles Traveled

Planning Commission Minutes

September 15, 2020

1. Call to Order

Chair Nuck called the regular meeting of the Planning Commission of the City of King to order at 6:01 p.m.

2. Pledge of Allegiance

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

3. Roll Call

Chairperson David Nuck X Oscar Avalos X (video conference)

Paulette Bumbalough X (video conference)

David Mendez X Brett Saunders X (video conference)

Staff present: Community Development Director, Doreen Liberto; Asst. Planner, Maricruz Aguilar (video conference); Executive Admin. Asst./Deputy City Clerk/ Planning Secretary, Erica Sonne; City Attorney Roy Santos (video conference)

4. Public Comments

None

5. Presentations

None

6. Consent Calendar

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: August 04, 2020

Action: Motion made by Commissioner Avalos to approve minutes of June 02, 2020. Seconded by Commissioner Bumbalough. Motion carried 5-0.

Daniel Lopez ask what was on the last meeting agenda and Community Development Director Liberto explained.

7. NON- PUBLIC HEARINGS –

None

8. PUBLIC HEARINGS

- | | |
|----------------|--|
| A. Project: | Amendment No. 1 of Mills Ranch Specific Plan Amendment & Mills Ranch Design Manual |
| Applicant: | City of King |
| Location: | Mills Ranch Specific Plan area |
| Consideration: | The proposed project includes but not limited to the following: |

1. Amend Introduction pages (e.g., names of staff, commissioners, council members).
2. Amend the Mills Ranch Specific Plan project description, including:
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6. Add language regarding Consistency Determination.
7. Incorporate graphics and language from Planning Commission Interpretation on the Mills Ranch Specific Plan Amendment related to fences.
8. Add language regarding allowing the community development director to make findings of substantial conformance.
9. Add language regarding construction of sheds.

Recommendations: Staff recommends the Planning Commission: 1) receive staff's and presentation; 2) open the public hearing; 3) allow the public to provide comments; and 4) continue the public hearing to October 6, 2020 for consideration.

**Environmental
Determination:**

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the CEQA Guidelines, In-Fill Development Projects, as the project is consistent with the General Plan and zoning as modified by specific plan, is less than five acres in size, has no value as habitat for endangered, rare or threatened species, can be served by existing utilities and public services, and

will have no significant traffic, noise, air or water quality effects.

Community Development Doreen Liberto introduced this item with a PowerPoint presentation.

Chair Nuck opened the public hearing,

Daniel Lopez – asked the location of the Park. Chair Nuck stated that it will be north of any houses that are currently built. He lives on Hermosa Way. A map and the Powerpoint presentation will be sent to him.

Marty Northrip – She said they are already running plumbing lines closer to the park. She is concerned that additional homes will be need more space. There are no backyards in these homes. This is not going to be a popular decision in this area.

Community Development Director stated that 199 permits need to be issued to trip a park being built and they are on 108 building permits issued currently.

Carlos Villagomez – He is on Heirloom Place. He feels that we need more park space because there is hardly any yard space. He is thinking in the long run. He would like to see more places to hangout, track for exercise, bathrooms, place for birthday parties.

Chair Nuck stated that the Linear Park would be for exercise as it has trails and walking space.

Jaclyn – She purchased a Nino home last year. Her concern is the amount of space for families. There backyards are small and she pays monthly HOA fees and she thought that would pay for the parks.

Community Development Director stated that the HOA fees cover things like maintenance of the alley ways, common landscaping areas, lighting but the City would maintain the parks.

City Attorney explained that the Central Community Park and the South West Community Park would be maintained by City and the rest of the open space would be maintained by the HOA

Mindy Hunt stated that they are building structures not just laying out plumbing. She feels that the Community Park could be for sharing with others. She feels that the smaller park would be for the apartments that are being proposed. Ms. Hunt wants to know how the control over the apartments happens. She is very happy about the linear park. People have been waiting since 2005 but she feels that the parks won't go in for many more years. The kids are playing in the alley and there is not place where they can really play.

Chair Nuck tried to answer her concerns over the apartments stating that CHISPA would be the ones building the apartments and from what he as seen in the City they have done a good job keeping the property up and cars to a minimum so there is not a large impact on the surrounding community.

Noel Lara- Concerned about the park not going in. There are lots of kids now more than in the last 8 years that he has lived there. He said that Kings Station, Bedford Street is full of cars. For years, his yard has been dry and not maintained. They have been told that the HOA money is for the parks.

Benito Dominguez – Livingston Ave. he is concerned about trash from the apartments blowing to his house and wants to know what the HOA money is being used for.

Staff stated that the HOA items need to be brought up at the HOA meetings. Also, they will come back at the next meeting with a list of items HOA is responsible for.

Terry Jenkins - stated that all the kids are in the street playing and alleyways and the park would be a really good investment. She would like a stop sign put back on Heirloom and Legacy. Staff will look into it.

Mindy Northrip is concerned about the home buyers are being told by someone that the HOA money is going to be used for parks. She is concerned about deceptive advertising.

Jaclyn stated that houses are more affordable here and more people are buying houses with more kids and we need more park space.

Daniel Lopez wanted to know how soon answers will be answered and when a decision is made. Community Development Director Liberto explained the process.

Motion by Commissioner Saunders to continue the public hearing to October 6, 2020 for consideration. Commissioner Mendez seconded. Motion carried 5-0.

Commissioner Bumbalough asked who maintains the Linear Park. Community Development Director stated that she would come back with that answer. Commissioner Bumbalough is concerned about the City taking on the cost of maintaining the parks and concerned about taking on the maintenance of a park and not being able to maintain the park to the best it should be because of safety for the users. She would like to see more stop signs possibly. She would like the Commission consider reaching out to the HOA for clarification on what is being paid for with homeowner's funds.

Commissioner Saunders stated that they got the letters and read all of them and hope to have more comments from the community.

Carlos Villagomez asked if a survey could be created on issues and concerns for the parks. Staff will look into it.

Marty would like the Powerpoint presentation. We will forward by e-mail and upload it to the website.

Commissioner Bumbalough likes the idea of a survey to clear things up. It would help people understand the facts.

Commissioner Avalos likes the idea of the survey as well.

- B. Project: An Ordinance Amending Chapter 17.03 of Title 17 of the King City Municipal Code Pertaining to Commercial Cannabis Activity
- Applicant: City of King
- Location: The regulatory ordinance would apply to all zones within the City limits.
- Consideration: An Ordinance Amending Chapter 17.03 of Title 17 of the King City Municipal Code Pertaining to Commercial Cannabis Activity
- Recommendations: Planning Commission adopt a Resolution recommending the City Council adopt an Ordinance amending Chapter 17.03 of Title 17 of the King City Municipal Code pertaining to commercial cannabis activity in order to modify the restrictions on locating cannabis retail storefront dispensaries adjacent to residential properties.
- Environmental Determination: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the CEQA Guidelines, In-Fill Development Projects, as the project is consistent with the General Plan and zoning as modified by specific plan, is less than five acres in size, has no value as habitat for endangered, rare or threatened species, can be served by existing utilities and public services, and will have no significant traffic, noise, air or water quality effects.

City Attorney Roy Santos introduced this item.

Chair Nuck opened the public hearing,

Marty Northrip ask if it is a mixed-use zone could the dispensary go there. City Attorney said no.

Jaclyn asked is there a limit on how many dispensaries. City Attorney stated that the current limit is 2.

Chair Nuck closed the public hearing.

Commissioner Saunders asked if it changed the map at all, does it increase the size at all. City Attorney stated no.

Rob Cullen asked if the map was shown. This ordinance change is to clarify and jive with the map that was presented to the public and is a clean-up item.

Commissioner Avalos asked if we change the verbiage will it affect existing locations.

Mr. Cullen shared his map with Assistant Planner Aguilar so she could share it to the screen.

City Attorney made clarification of the changes with the map up.

Motion by Commissioner Saunders to adopt a Resolution recommending the City Council adopt an Ordinance amending Chapter 17.03 or Title 17 of the King City Municipal Code pertaining to commercial cannabis activity in order to modify the restrictions on locating cannabis retail storefront dispensaries adjacent to residential properties. Commissioner Mendez seconded. Motion carried 5-0.

9. Regular Business- None

10. Planning Commission Report –

11. Director Reports-

A. Update on the virtual Salinas Valley Planning Commission Academy (Saturday, October 3, 2020 from 9.a.m. to 3:30 p.m.)

B. Multimodal Center is coming together. Railpros will be meeting every other week.

City Attorney Santos thanked the Planning Commission for letting him sub in for the City Manager.

12. Written Correspondence– None

13. Adjournment

There being no further business, the Planning Commission meeting was adjourned by Chair Nuck at 7:31p.m.

David Nuck
Planning Commission Chairperson
City of King

Erica Sonne
Planning Commission Secretary
City of King



Item No. 8(A)

REPORT TO THE PLANNING COMMISSION

DATE: OCTOBER 6, 2020

TO: HONORABLE PLANNING COMMISSION

FROM: DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

RE: CONTINUED HEARING - AMENDMENT NO. 1 TO THE MILLS RANCH SPECIFIC PLAN AND MILLS RANCH DESIGN MANUAL AMENDMENT

RECOMMENDATION:

Staff recommends the Planning Commission continue the public hearing to October 20, 2020 for consideration.

BACKGROUND:

On September 15, 2020, the Planning Commission conducted a public hearing on the City initiated Mills Ranch Specific Plan and Mills Ranch Design Manual Amendments (Amendments). A major component of the Amendments would reduce the size of the Central Community Park and create a smaller neighborhood park and allow affordable housing units. The City initiated this project primarily due to concerns about the feasibility of funding maintenance of two new large parks. The proposal was not initiated by the developer.

Several residents participated in the September 15th public hearing and expressed a number of concerns. The Planning Commission directed staff to address the issues and continued the public hearing to October 6th.

DISCUSSION:

During the September 15th Planning Commission hearing, some of the issues raised by the Mills Ranch residents included:

- Reduced Central Community Park size.
- Maintenance responsibilities of the Homeowners Association.

- Stop control at the intersection on Hierloom Place and Legacy Drive.
- Impacts from a proposed affordable housing project, including parking and traffic concerns.

These are all important concerns to be considered. Staff is recommending the Planning Commission continue the public hearing until October 6th to provide sufficient time to continue addressing the concerns and meet with the neighbors and Homeowners Association to consider alternatives.

c: Mike Nino, Nino Homes
Dana Cleary, CHISPA
Parks and Recreation Commission