

## Planning Commission Minutes

August 17, 2021

### 1. Call to Order

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

### 3. Roll Call

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Chairperson David Nuck  X  Oscar Avalos  A

Paulette Bumbalough  X  (Teleconference)

David Mendez  X  Brett Saunders  X  (Teleconference)

Commission Saunders made a motion to excuse Commission Avalos. Seconded by Commissioner Bumbalough. Motion carried 4-0.

**Staff present:** Community Development Director, Doreen Liberto; Principal Planner Scott Bruce, Planner Maricruz Aguilar-Navarro; Planning Commission Secretary, Erica Sonne; Planner Eric Berg-Johansen (teleconference).

### 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: July 20, 2021

**Action:** Motion made by Commissioner Bumbalough to approve minutes of July 20, 2021. Seconded by Vice Chair Saunders. Motion carried 4-0.

### 7. NON- PUBLIC HEARINGS –

A. None

Vice Chair Saunders recused himself from Item 8(A) and left the feed on the zoom.

### 8. PUBLIC HEARINGS

A. Project: Amend Conditional Use Permit approval that requires two armed guards be on site during hours of operation and one-armed guard to be on site at all times. The amendment would require the presence of on-armed guard during the time that employees are on-site, to satisfaction of Chief of Police.

Applicant: Nebula Management/ Lehue Brands International, dba Golden State Sciences (GSS) APN 026-532-029

Location: 190 East San Antonio Drive, King City, CA. 93930 (APN 026-522-039).

Consideration: CUP 21-000001, 190 East San Antonio Drive. (AMENDMENT (e) to CUP 2016-011): Revision to Original Condition of Approval – Armed Security Requirements

Recommendations Planning Commission: 1) review request for Conditional Use Permit, 2) receive public comment, and 3) adopt the attached Resolution.

Environmental Determination: Staff has performed a preliminary environmental assessment of this amendment to the CUP and has determined that the requested amendment reduces the potential environmental impacts of the project due to the fact that the number of persons on site decreases. Therefore, the requested amendment to the CUP does not have a significant effect on the environment.

Principal Planner Scott Bruce introduced this item with a PowerPoint presentation.

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

Motion by Commissioner Bumbalough to adopt Resolution No. 2021-297 Approving Conditional Use Permit Amendment Case No. CUP 21-000001 190 E. San Antonio. Commissioner Mendez seconded. Motion carried 3-0.

Vice Chair Saunders returned to the meeting via zoom.

B. Project: Amend Conditional Use Permit approval that requires two armed guards be on site during hours of operation and one-armed guard to be on site at all times. The amendment would require the presence of on-armed guard during the time that employees are on-site, to satisfaction of Chief of Police

Applicant: Boutique Unlimited, LLC APN 026-351-022

Location: 151 Airport Drive, King City CA. 93930 (APN 026-351-022)

Consideration: CUP 21-000003, 151 Airport Drive. (Amendment (e) to CUP 2016-008): Amendment to an Original Condition of Approval – Armed Security Requirements

Recommendations: Planning Commission: 1) review request for Conditional Use Permit, 2) receive public comment, and 3) adopt the attached Resolution

Environmental Determination: Staff has performed a preliminary environmental assessment of this amendment to the CUP and has determined that the requested amendment reduces the potential environmental impacts of the project due to the fact that the number of persons on site decreases. Therefore, the requested amendment to the CUP does not have a significant effect on the environment.

Principal Planner Scott Bruce introduced this item with a PowerPoint presentation.

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

Motion by Commissioner Bumbalough to adopt Resolution No. 2021-299 Approving Conditional Use Permit Amendment Case No. CUP 21-000003 151 Airport Drive. Vice Chair Saunders seconded. Motion carried 4-0

- C.           Project:           Clarify Conditional Use Permit approval that requires armed Guard to be on site. Interpretation and implementation, consistent with all cannabis operations in the City, has been to require a minimum of one armed guard on site 24 hours, seven days a week. The amendment would require the presence of one-armed guard during the time that employees are on-sit, to satisfaction of Chief of Police.
- Applicant:           Elite Molecular, LLC APN 026-351-023
- Location:           101 Airport Drive, King City CA. 93930 (APN 026-351-023)
- Consideration:     CUP 21-000002, 101 Airport Drive. (Amendment (e) to CUP 2017-009): Clarification of an Original Condition of Approval-Armed Security Requirements
- Recommendations: Planning Commission: 1) review request for Conditional Use Permit, 2) receive public comment, and 3) adopt the attached Resolution
- Environmental  
                  Determination:     Staff has performed a preliminary environmental assessment of this amendment to the CUP and has determined that the requested amendment reduces the potential environmental impacts of the project due to the fact that the number of persons on site decreases. Therefore, the requested amendment to the CUP does not have a significant effect on the environment.

Principal Planner Scott Bruce introduced this item with a PowerPoint presentation.

Chair Nuck opened the public hearing,

Mindy Hunt stated they couldn't hear Principal Planner Bruce very well. Principal Planner Bruce moved over to use the microphone that was in front of Planner Aguilar.

Vice Chair Saunders stated that there had been a change in Police Chief's. Vice Chair Saunders asked if he is ok with the changes. Principal Planner Bruce stated that yes he was fine with the changes.

Being no further comments Chair Nuck closed the public hearing.

Motion by Vice Chair Saunders to adopt Resolution No. 2021-298 Approving Conditional Use Permit Amendment Case No. CUP 21-000002 101 Airport Drive. Commissioner Bumbalough seconded. Motion carried 4-0

- D.           Project:           Variance and Tentative Parcel Map for 1023 Broadway Street
- Applicant:           Best Development Group
- Location:           1023 Broadway Street, King City CA. 93930
- Consideration:     Variance and Tentative Parcel Map Applications to Allow a Reduced Lot Dimension for Parcel 3 and Subdivide One (1) Existing

Lot into Three (3) Lots Located at 1023 Broadway Street APN: 026-391-025-000 (Tentative Parcel Map Case No. P21-000-006, Variance Permit Case No. P21-000-007 026-174-001 And 026-174-002)

Recommendations: The Planning Commission adopt Resolution No. 2021-296, which approves a variance to reduce lot width and a tentative parcel map for 1023 Broadway Street (APN: 026-391-025-000).

Environmental  
Determination:

Staff has performed a preliminary environmental assessment of this project and, pursuant to CEQA Guidelines, section 15061(b)(3), has determined with certainty that there is no possibility that this project may have a significant effect on the environment. This is because optional design and improvement standards are permitted pursuant to the subdivision title Chapter 17.26 H-S (Highway Service District) and all requested variances are mitigated to a level of insignificance with conditions of approval and project design. The proposed land division will create four or less parcels. Therefore, this project is not subject to CEQA.

Community Development Director Doreen Liberto introduced this item. She also read in a letter of concern from Joseph Hernandez, Bedford Ave, King City. She has reached out to Mr. Hernandez to hopefully be able to speak with him about his concerns.

City Engineer Octavio Hurtado commented on this item further explaining the process.

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

Motion by Vice Chair Saunders to adopt Resolution No. 2021-296, which approves a variance to reduce lot width and a tentative parcel map for 1023 Broadway Street (APN: 026-391-025-000). Commissioner Bumbalough seconded. Motion carried 4-0.

- E.           Project:           Zoning District Changes for 101 and 105 Division Street, Assessor's Parcel Numbers 026-231-001 and 026-231-003, from Single Family Residential (R-1) to General Commercial (C-2) (Zone Change Case No. P20-000-008 and ZON21-000001)
- Applicant:           Mihir Patel (105 Division Street)  
Case Number:       P20-000-008
- Applicant:           City of King (101 Division Street)  
Case Number:       ZON21-000001
- Location:           101 and 105 Division Street
- Consideration:      A Resolution Initiating Amendment of Zoned District and Recommending Zoning District Changes for 101 And 105 Division Street, Assessor's Parcel Numbers 026-231-001 And 026-231-003, from Single Family Residential (R-1) to General Commercial (C-2) (105 Division Street Case No.: P20-000-008 and 101 Division Street Case No.: Zon21-000001)
- Recommendations: The Planning Commission adopt Resolution No. 2021-294, which initiates the amendment process and recommends the City Council approve Zone Change Case No. P20-000-008 and ZON21-000001 to change 101 and 105 Division Street (APNs 026-231-001 and 026-231-003) from the Single Family Residential (R-1) Zoning

District to General Commercial (C-2) Zoning District.

Environmental  
Determination:

Staff has performed a preliminary environmental assessment of this project and, pursuant to CEQA Guidelines, section 15061(b)(3), has determined with certainty that there is no possibility that this project may have a significant effect on the environment. This is because the proposal would not substantially change the intensity of use within the existing buildings, would be consistent with adjacent land uses, and is consistent with existing General Plan land use designations which have already been environmentally assessed, etc. Therefore, this project is not subject to CEQA.

Planner Erik Berg-Johansen introduced this item.

Community Development Director stated that a letter was sent this afternoon from the owner Mr. Couttolenc that they object to this change in their zoning.

Chair Nuck opened the public hearing,

Eduardo and Helia Couttolenc's, (owners of 101 Division St.), daughter spoke representing her parents stating that they had not received notification of this happening tonight except for one e-mail they received on Monday. Community Development Director stated that letters were sent out and one was returned but the others were not returned. She clarified they were sent certified mail. Mr. Eduardo Couttolenc is in objection to this change. Mrs. Helia Couttolenc stated her position of not wanting to change the zoning for fear of raising their taxes. She complained that the 105 property has lots of trash and they are afraid of contamination.

Community Development Director Liberto asked if they would be willing to sit down with staff to discuss the zoning and their concerns and Helia Couttolenc agreed to sit down with staff.

Community Development Director suggested that this item be continued to the next meeting September 7, 2021.

Heena Sikand the realtor for 105 Division St. stated that her client would like to move forward with the rezone.

Being no further comments Chair Nuck closed the public hearing.

Motion by Commissioner Bumbalough to continue this item to the meeting of September 7, 2021. Vice Chair Saunders seconded. Motion carried 4-0.

**9. Regular Business-** None

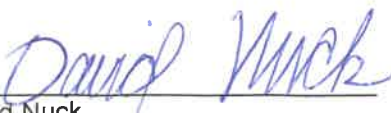
**10. Planning Commission Report –**

**11. Director Reports-**

**12. Written Correspondence–** None

**13. Adjournment**

There being no further business, the Planning Commission meeting was adjourned by Chair Nuck at 7:05p.m.



David Nuck  
Planning Commission Chairperson  
City of King



Erica Sonne  
Planning Commission Secretary  
City of King