

## Planning Commission Minutes

September 7, 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   X   (Teleconference)

Paulette Bumbalough   X   (Teleconference)

David Mendez   X   Brett Saunders   X   (Teleconference)

**Staff present:** Community Development Director, Doreen Liberto; 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: August 17, 2021

**Action:** Motion made by Commissioner Bumbalough to approve minutes of August 17, 2021. Seconded by Vice Chair Saunders. Motion carried 5-0.

### 7. NON-PUBLIC HEARINGS –

A. None

### 8. PUBLIC HEARINGS

A. Project: Continued Item from August 17, 2021  
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: Continued Item: 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.

Community Development Director Liberto introduced Planning Erik Berg-Johansen.

Planner Erik Berg-Johansen introduced this item with a PowerPoint presentation stating that this a continued item from August 17, 2021.

Chair Nuck opened the public hearing,

Mihir Patel, property owner at 105 Division St., he would like to move forward with the rezone to bring more business to the City.

Christine Kemp attorney representing Eduardo and Helia Couttolenc. They do not want to loose the existing use. They are concerned about what is going to go into the 105 Division St. and they don't want it to detrimental to the residential property on 101 Division St. They understand why the City is changing the zoning.

Mr. Patel is in limbo because the property is zoned residential, and the building is commercial so the property is not usable right now. Raymundo is across the St. on 430 First St. would like to move to the 105 Division St. location. Auto related use. It would be 9-5 business and will not be a disturbance. DMV would not approve him for his license.

Eduardo Couttolenc's, (owners of 101 Division St.), stated if he is going to move this guy there he needs to put in a grease trap.

Mr. Patel stated that he is selling used cars and doesn't need a grease trap.

Community Development Director Liberto stated that she doesn't want to get into specifics because there has not been an application submitted.

Helia Couttolenc asked if this item would go to Planning Commission.

Community Development Director Liberto stated that it would require a use permit.

Helia Couttolenc stated that the parking is going to be very limited. Eduardo Couttolenc stated that the cars would need to be in the lot.

Planner Maricruz Aguilar read permitted uses section from the Muni Code into the record.

Mr. Patel clarified that the DMV will not give him a permit if he sells cars outside of the lot. He will have to have the cars in the yard of the property not within a building.

Ms. Kemp appreciated the clarification.

Mr. Patel stated that Mr. Couttolenc needs to stop calling him and threatening him that he is going to sue him.

Nick Papajohn, City Attorney, asked that the addition of this item being continued from August 17.

Being no further comments Chair Nuck closed the public hearing.

Motion by Commissioner Saunders to approve Resolution 2021-294 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). Commissioner Mendez seconded. Motion carried 5-0.

**9. Regular Business- None**


**10. Planning Commission Report –**

**11. Director Reports-** Maricruz Aguilar is a Planner not assistant Planner. Working on Climate Resiliency grant which is due on Monday. Multi modal transit center- Cal trans is providing funding for the construction of the platform. Hopefully we will get 15 million dollars to build the platform. September 21<sup>st</sup> we will have Chapter 1 of Land use element of the General Plan and Economic Development element that will be brought to the Planning Commission in the future.

**12. Written Correspondence– None**

**13. Adjournment**

There being no further business, the Planning Commission meeting was adjourned by Chair Nuck at 6:28p.m.



David Nuck  
Planning Commission Chairperson  
City of King



Erica Sonne  
Planning Commission Secretary  
City of King