

Planning Commission Minutes

March 15, 2022

1. Call to Order

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

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

3. Roll Call

Chairperson David Nuck X Oscar Avalos X (Teleconference)

Paulette Bumbalough A

David Mendez X Steve Wilson X

Commissioner Mendez made a motion to excuse Commissioner Bumbalough seconded by Commissioner Wilson, motion carried 4-0.

Staff present: Community Development Director, Doreen Liberto; Principal Planning Scott Bruce, (Teleconference); Planner, Maricruz Aguilar; Planning Commission Secretary, Erica Sonne.

Translator Terry Garcia is in the audience if anyone needs translation.

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: February 15, 2022

Action: Motion made by Commissioner Wilson to approve minutes of February 15, 2022. Seconded by Commissioner Mendez. Motion carried 4-0.

7. NON- PUBLIC HEARINGS –

- A.
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| Project: | Mee Memorial Hospital Billboard |
| Applicant: | Mee Memorial Hospital |
| Location: | Highway 101 Southeast of King City (APN 235-051-010-000) |
| Consideration: | A Face Copy Change to the Existing Billboard Located on Highway 101, Southeast of King City (APN 235-051-010-00). |
| Recommendation: | Staff recommends the Planning Commission make a motion to approve the face copy change as presented by Mee Memorial Hospital Sign Permit Case No. S22-000001, subject to the conditions of approval. |

Environmental Determination: Signs are Categorically Exempt, Class 1, Existing Facilities, Section 15301, Title 14. California Code of Regulations, CEQA, which exempts new copies on existing on and off-site signs.

Planner Aguilar-Navarro introduced this item with a PowerPoint.

Motion by Commissioner Wilson to Planning Commission to approve the face copy change as presented by Mee Memorial Hospital Sign Permit Case No. S22-000001, subject to the conditions of approval. Commissioner Mendez seconded. Motion carried 4-0.

8. PUBLIC HEARINGS

A. Project: Consideration of Grocery Outlet Store Proposed for 1023 Broadway Street, King City CA. 93930. CUP-210-091 (Conditional Use Permit, P21-00-005 (Architectural Review), L21-000-001 (Landscape Review), SN2-100-001 (Sign Permit Review).

Applicant: Best Development Group, LLC.

Location: 1023 Broadway Street, King City, CA.

Consideration: Conditional Use Permit ("CUP") Case No., CUP-210-091
Architectural Review Permit ("ARC") Case No. P21-000-005
Landscape Plan Review Permit ("LP") Case No. L21-000-001
Sign Permit ("SP") Case No. SN2-100-001

Recommendation: The Planning Commission adopt Resolution No. 2022-306.

Environmental Determination: The City has performed an environmental assessment of this Project. Based on the environmental assessment, the Project falls within the categorical exemption set forth in the California Environmental Quality Act (CEQA) Guidelines section 15332, which exempts in-fill development projects. This Project meets all of the standards for this categorical exemption as further described in the Environmental Assessment. None of the exceptions to categorical exemptions set forth in the CEQA Guidelines, section 15300.2 applies to this Project.

City Attorney Nick Papajohn stated that this is a quasi-judicial proceeding, so if you have received any evidence regarding this particular item other than what has been presented by staff. You should disclose that orally in the record. And if you disclose you, you should confirm that you are not relying on information that is not in the record and that you have not made a decision to this point and that you won't make a decision until all the evidence is presented. Planning Commission understands and had nothing to disclose.

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

Planner Maricruz Aguilar further introduced this item.

Community Development Director Doreen Liberto further introduced this project stating that there is a substantial sized environmental analysis in Planning Commissions packet that is very detailed. After staff reviewed there are no significant adverse impacts from the project and that the project would qualify for class 32 categorical exemption. Staff is recommending that that be adopted for this project. She also stated that there are 62 Conditions of Approval that the applicant has signed off on. Ms. Liberto stated that we have had some public input and Planning Commission is in receipt of it. A letter from the Latino Caucus dated March 7, 2022, in support of the project, a flyer that had come to staff's attention with concerns about the project, Planning Commission has that. A letter dated March 15, 2022, from Joseph

Hernandez, for Working Families of Monterey County with concerns requesting an environmental impact report be prepared on the project. Staff is recommending that Planning Commission adopt the resolution supporting the Grocery Outlet project.

Chair Nuck opened the public hearing.

Commissioner Wilson stated that Mr. Hernandez and the Families of Monterey County seem positive that this does not qualify as infill and exempt. Are we real sure? Ms. Liberto stated that we are as the findings are firm findings. The City Attorney and the applicant's attorney will address this.

Applicants Attorney James G. Moose, a land use attorney, addressed the concerns about the environmental analysis. He introduced the applicants and the person that did the environmental analysis is available for questions. He is aware of the flyer and the letter. He strongly believes the categorical exemption is appropriate. Grocery Outlet is a bargain market and fills a niche that is not competitive with stores like Safeway. This is a different kind of retail operation. They can sale their groceries for less. Grocery Outlet partners with local families who will be the actual owners of the store. Local entrepreneurs will set the wages and benefit packages to offer. They categorically rebut the contentions in the flyer.

He gave an overview of the California Environmental Quality Act works. He feels confident that he could defend this environmental assessment. They would like approval of this project tonight.

Commissioner Avalos had a question about the former Grocery Outlet closing. He doesn't want to see it closing and an empty building sitting in King City.

Mr. Moose stated that they are not aware of the former Grocery Outlet but that this current applicant has done their due diligence and plans on being successful.

Chair Nuck closed the public hearing.

Motion by Commissioner Wilson to Adopt Resolution No. 2022-306. Seconded by Commissioner Mendez Motion carried 4-0.

City Attorney Nick Papajohn stated that the appeal period is 15 days.

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| B. | Project: | Clarification of Previous Action from 2018 for CUP2017-003 Commercial Cannabis – Categorical Exemption (Type 2A including processing), Nursery (Type 4), Manufacturing (Type 7), Non-Storefront Delivery (Type 10), Distribution (Type 11); 100 Don Bates Way, King City, CA (APN 026-521-010-000) |
| | Applicant: | Cal Grow |
| | Location: | 100 Don Bates Way, King City, CA. |
| | Consideration: | A Resolution clarifying a previous action from 2018 for CUP2017-003 Commercial Cannabis – Categorical Exemption (Type 2A including processing), Nursery (Type 4), Manufacturing (Type 7), Non-Storefront Delivery (Type 10), Distribution (Type 11); 100 Don Bates Way, King City, CA. (APN 026-521-010-000) |
| | Recommendation: | Planning Commission 1) review the clarification,
2) receive public comment, and
3)adopt the attached Resolution documenting said clarification |
| | Environmental Determination: | The project qualifies for exemption per CEQA Guidelines §15300.2 Per Resolution 2017-236 no potentially significant impacts were identified; no endangered, rare or threatened species were present; approval of the proposed use would not result in significant impacts |

to traffic, noise, air quality or water; the site could be adequately served by all required utilities and services; none of the exceptions to the exemption under CEQA Guidelines §15300.2 were applicable. The previous action included exemption per CEQA Guidelines §15332, Infill Development which has a limit of five acres.

Principal Planner Scott Bruce introduced this item with a PowerPoint presentation. The updated CEQA guidelines §15061(b)(3) were added to the resolution for approval tonight.

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

Motion by Commissioner Avalos to Adopt Resolution No. 2022-305 with update, documenting said clarification. Seconded by Commissioner Wilson. Motion carried 4-0.

9. Regular Business- None

10. Planning Commission Report –

11. Director Reports- Community Development Director Liberto gave an update on the Multimodal funding.

12. Written Correspondence– None

13. Adjournment

There being no further business, the Planning Commission meeting was adjourned by Chair Nuck at 6:46p.m.



David Nuck
Planning Commission Chairperson
City of King



Erica Sonne
Planning Commission Secretary
City of King