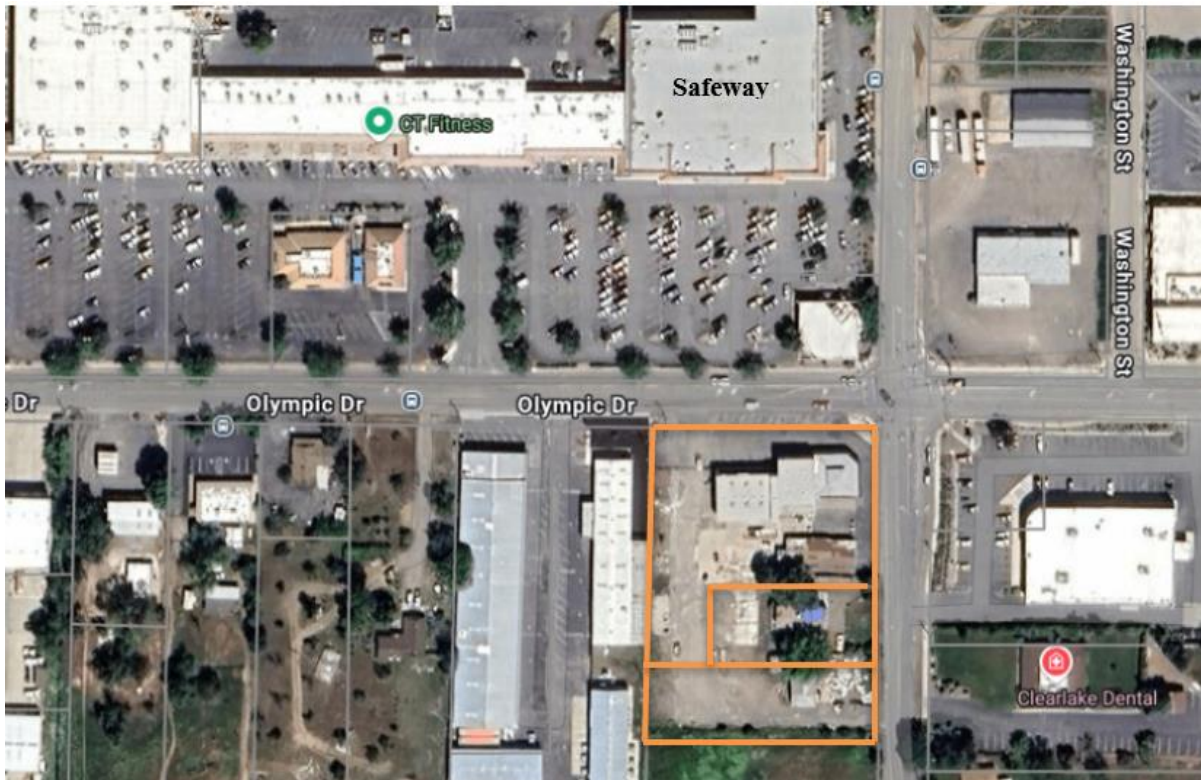




<b>STAFF REPORT</b>	
<b>SUBJECT:</b> Conditional Use Permit, CUP 2024-02 Environmental Analysis, CEQA IS 2024-01	<b>MEETING DATE:</b> January 23 <sup>rd</sup> , 2025 5:00 p.m.
<b>SUBMITTED BY:</b> Mark Roberts - Senior Planner	
<b>REPORT PURPOSE:</b> <input checked="" type="checkbox"/> Action Item <input type="checkbox"/> Discussion <input type="checkbox"/> Information Only	
<b>APPLICANT:</b> Tony Mehroke	<b>PROPERTY OWNER:</b> Norcal Fuelworxz, Inc.

**WHAT IS BEING ASKED OF THE PLANNING COMMISSION:**

The Planning Commission is being asked to consider Conditional Use Permit, CUP 2024-02 and corresponding environmental analysis, CEQA IS 2024-01 to allow the development and operation of a Gas Station, Convenience Store and Drive through Car Wash located at 14975 Olympic Drive (APN: 039-550-51); 3545 Old Highway 53 (APN: 039-550-50) and 3565 Old Highway 53 (APN: 039-550-20), Clearlake, CA.



## **DISCUSSION/SUMMARY:**

The project would consist of the development and operation of a Gas Station, Convenience Store and a Drive through Car Wash. (*Refer Attachment #1 – Preliminary Site and Elevation Plans for details*).

### **Gas Station and Convenience Store:**

- Convenience Store up to 5,106 SQFT in size, which includes a quick serve food area up to 2,081 SQFT.
- Six (6) double sided fuel pumps located under a 3,470 SQFT canopy.
- Up to three (3) underground fuel tanks.

### **Drive-Through Car Wash:**

- Carwash tunnel/facility - 3,600 SQFT
- Office Room - 588 SQFT
- Equipment Room - 852 SQFT.
- Underground Water Tank(s)

### **Access and Parking:**

- Access to the project site would be provided from Olympic Drive and Old Highway 53.
- Approximately 75 parking spaces, which includes twelve (12) vacuum pump stations and up eight (8) Electrical Vehicle (EV) Charging Stations.

## **GENERAL PLAN AND ZONING DISTRICT CONSISTENCY:**

The subject property is designated General Commercial under the City of Clearlake 2040 General Plan, which aims to provide municipal services, facilities, and economic development for business growth and expansion. Additionally, the 2040 General Plan designated land for commercial land use along highly accessible commercial corridors such as Lakeshore Drive, Olympic Drive and State Route 53. A Gas Station, Convenience Store and Drive through Car Wash is an allowable use in the General Commercial Zoning District upon securing a Conditional Use Permit per Section 18-18.050 & 18-19.070 of the Clearlake Municipal Code.

## **AGENCY REVIEW & TRIBAL CONSULTATION SUMMARY:**

A Request for Review (RFR)/AB 52 was distributed via email on May 13<sup>th</sup>, 2024, to all applicable agencies and organizations for initial review. During the initial project review timeline, the city received comments from the following agencies.

- *Lake County Environmental Health*
- *Highlands Water Company*
- *Koi Nation of Northern CA*
- *Elem Colony*

**Tribal Consultation:** In accordance with AB 52, the City received formal request from Elem Colony and Koi Nation to conduct government to government tribal consultation. Ultimately, City Staff conducted Tribal Consultation in accordance with State Legislation with Koi Nation of Northern California on November 20<sup>th</sup>, 2024, December 18<sup>th</sup>, 2024, and on January 14<sup>th</sup>, 2025, and with Elem Colony on November 6<sup>th</sup>, 2024, and December 5<sup>th</sup>, 2024.

## **ENVIRONMENTAL REVIEW (CEQA):**

Pursuant to California Environmental Quality Act (CEQA) Guidelines, staff prepared an Initial Study to assess the potential adverse environmental effects of the project. The study concludes that any potentially significant adverse environmental impacts would be reduced to a level of non-significance with the incorporated Mitigation Measures/Conditions of Approval. The Mitigated Negative Declaration based on the environmental analysis were properly noticed and circulated in accordance with California Environmental Quality Act (CEQA) Section 15070-15075 of the CEQA State Guidelines, by:

- ❖ *Circulation of the Notice of Intent (NOI) for the environmental analysis/proposed Mitigated Negative Declaration was published in the Lake County Record Bee on December 21, 2024, posted with the State Clearinghouse and emailed to various Federal, State, and local agencies/organizations for the minimum of a 30-day commenting period from December 23rd, 2024, through January 22nd, 2025.*
- ❖ *A Notice of Intent (NOI) was mailed (via USPS) to the surrounding parcels owners within 300 feet of the subject property informing them of the City's decision to adopt a Mitigated Negative Declaration for the proposed use and that there is a 30-day commenting period on the environmental document.*

Staff has made minor alternations to the original Cultural and Tribal Mitigation Measures to act in good faith and reasonable effort to address the concerns of the consulting tribes. In accordance with Section 15073.5 of the California Environmental Quality Act (CEQA) Guidelines, the City has determined that there is no need to recirculate the initial study/mitigated negative declaration as the minor alterations do not result in more significant environmental impacts or result in any substantial change to the mitigation measures.

## **LEGAL NOTICE AND PUBLIC COMMENT**

The public hearing was noticed at least ten (10) days in advance in an electronic publication with the Lake County Record Bee on **Saturday, January 11<sup>th</sup>, 2025**, and mailed (via USPS) to all surrounding property owners (including those who have requested to be notified in writing) within 300 feet of the subject parcel(s) as required pursuant to the Clearlake Municipal Code. All mailing address are drawn from the electronic database supplied by the Lake County Assessor/Recorders Office Database.

## **MOTIONS/OPTIONS:**

1. Move to Adopt Resolution PC 2025-01, A Resolution of the Planning Commission of the City of Clearlake approving Conditional Use Permit, CUP 2024-02 and corresponding environmental analysis, CEQA IS 2024-01 to authorize the development and operation of Gas Station, Convenience Store and Drive through Car Wash located at 14975 Olympic Drive (APN: 039-550-51); 3545 Old Highway 53 (APN: 039-550-50) and 3565 Old Highway 53 (APN: 039-550-20).
2. Move to Deny Resolution PC 2025-01, and direct staff to prepare appropriate findings.
3. Move to continue the item and provide alternate direction to staff.

## **ATTACHMENTS:**

1. Preliminary Site and Elevation Plans
2. CEQA Environmental Analysis Packet
3. PC Resolution 2025-01 with Conditions of Approval
4. Agency Comments