



CITY OF CLEARLAKE

Planning Commission

STAFF REPORT	
SUBJECT: Conditional Use Permit, CUP 2021-34 & Categorical Exemption, CE 2021-13	MEETING DATE 1/25/2022 (Regular):
SUBMITTED BY: Mark Roberts and Michael Taylor, Planning Department	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	
LOCATION: 14585 Olympic Drive, Suite A, Clearlake CA 95422 APN: 039-164-41	APPLICANT/OWNER: USA Vehicle Locator, LLC. Rep. Tom Ealey/ L. D. Mahan & C. S. Mahan 2005 Trust
ZONING: "GC" General Commercial "CB" Commercial Cannabis Business	GENERAL PLAN: Commercial

WHAT IS BEING ASKED OF THE PLANNING COMMISSION:

The Planning Commission is being asked to consider Conditional Use Permit application CUP 2021-34 and corresponding environmental filing Categorical Exemption CE 2021-13 to establish an Online Wholesaler and Retail Automobile Sales Operation pursuant to Table 5 (Commercial, Recreation and Amusement Uses) of the Clearlake Zoning Code (CZC) at 14585 Olympic Drive. The applicant, Tom Ealy (Representative of *USA Vehicle Locator, LLC.*), who is proposing the establishment of an Automobile Sales operation, requires Planning Commission approval in the GC zone,¹ at an existing commercial lot known as 14585 Olympic Drive.

- **CUP 2021-34 – Retail sales of new and used automobiles (automobile dealership):** Any business establishment that sells or leases new or used automobiles, trucks, vans, trailers, recreational vehicles, boats or motorcycles or other similar motorized transportation vehicles. An automobile dealership may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership (*Definitions, CZC*).

¹ 18-18.030 Commercial, recreation and amusement uses allowed by zones (CZC).

- **Categorical Exemption CE 2021-13:** Pursuant to California Environmental Quality Act (CEQA) guidelines, the project is considered Categorically Exempt from additional environmental review in accordance with Section 15301, Existing Facilities – Class 1 of the California Environmental Quality Act (CEQA).

BACKGROUND/DISCUSSION:

The proposed Online Wholesale/Retail Automobile Sales Dealership will occur within an existing multi-tenant space in the Olympic Drive Corridor, approximately 2,453 feet (~.5 miles) west of its intersection with Old Hwy 53. The parcel is regularly shaped and comprised of three “half lots” (10N, 10S, and 9), fronting 100ft of Olympic Drive and extending ~78ft southward (7,840SF total). The principal structure, built in 1984, appears to span at least two of the lots and totals 2,125 square feet. Nearby development is a mix of residential (of varying densities), as well as other commercial sites, including the Post Office, Clearlake Dialysis, the new Tribal Health Medical Center.

The corresponding zoning is also diverse; the site is designated General Commercial, intended to “provide sites for general commercial uses which are diverse, visually pleasing, convenient in terms of parking and access, attractive and used by citizens of Clearlake as well as visitors to the area.” It is immediately bordered by similarly zoned parcels to the north and east, Medium Density Residential to the south, and Mixed Use to the west (Figure 1). However, the major traffic corridor also includes zones Open Space, Rural Residential, Low Density Residential, High Density Residential and Commercial Downtown within about a half mile. Overlay zones include FEMA Flood Zone AO (Figure 3) and Commercial Cannabis Business Combining District (CB) (Figure 2). The project is served by Golden State Water.

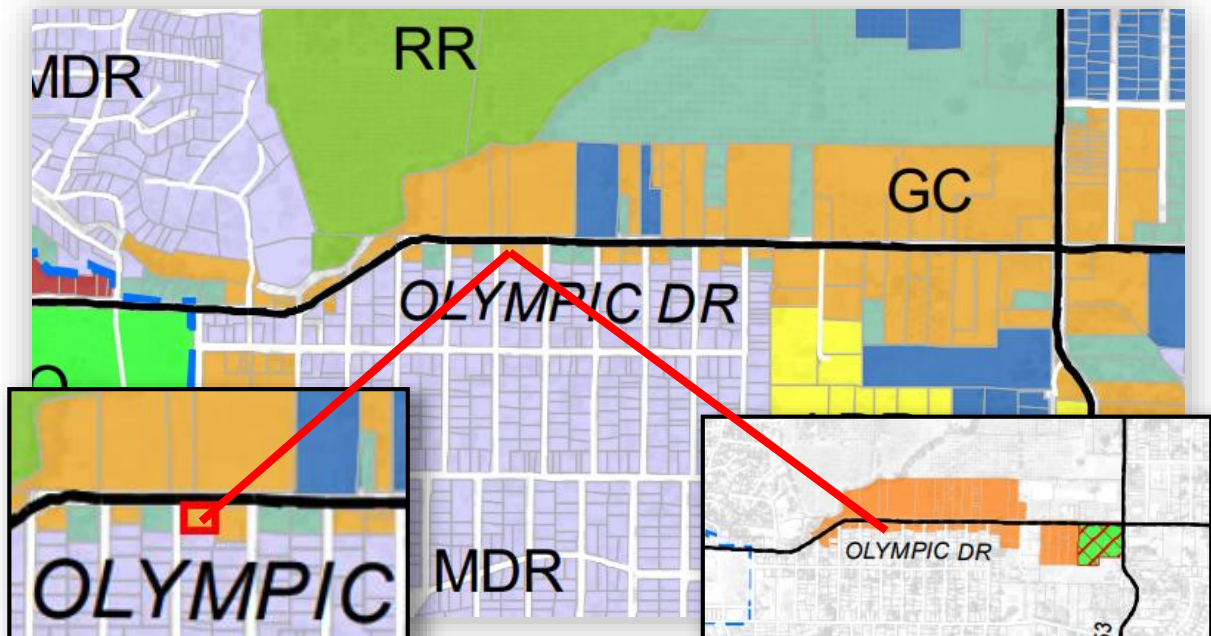


Figure 1 "Base Zoning"

Figure 2 "Commercial Cannabis Business District"

National Flood Hazard Layer FIRMette

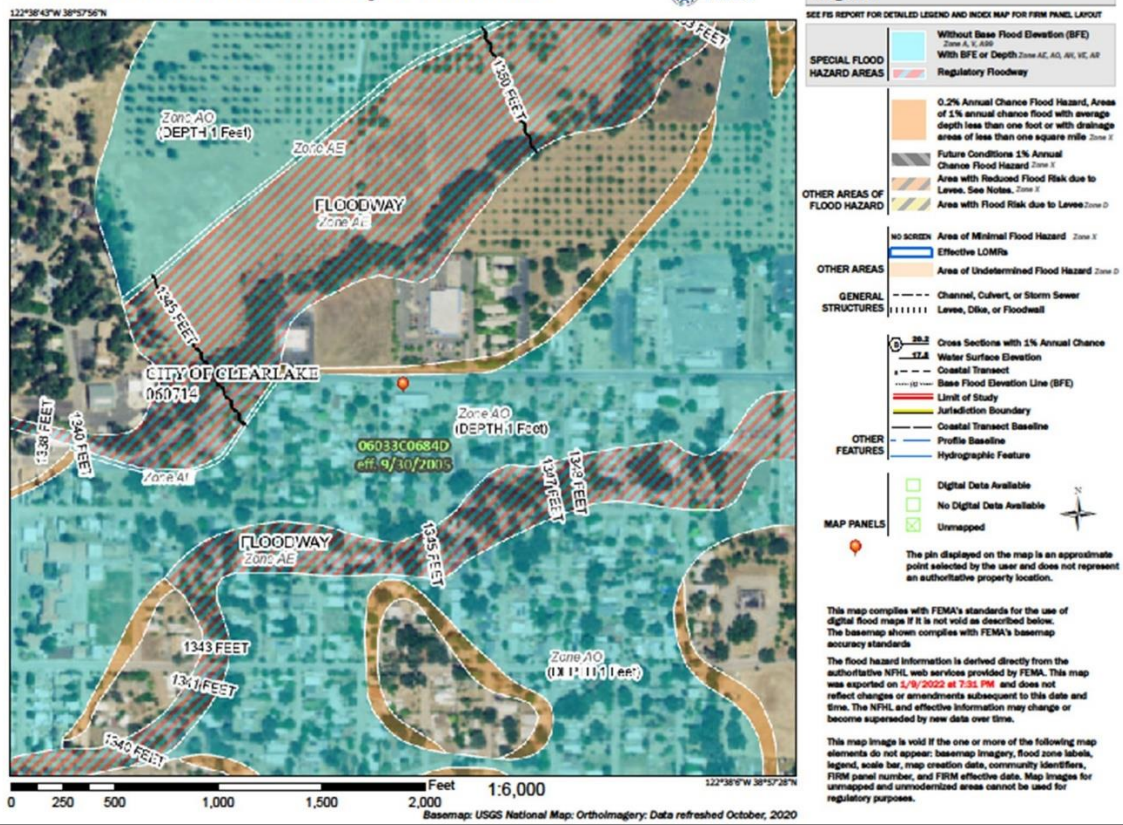


Figure 3 "FEMA Flood Map"

The applicant has provided a copy of an agreement (Attachment 7) to occupy all 650 sq. ft. of Suite A, the most westwardly oriented tenant space of five tenant spaces in the existing structure, adjacent to a currently vacant suite to the east and Madrone Street to the west. However, USA Vehicle Locator is the only business license on record (active/closed/pending) at this site. According to the submittal materials, the lot contains a number of shared parking spaces along the frontage, as well as additional stalls on each side of the structure, totaling 17. A vicinity map and site plan are included for reference (Figure 4).

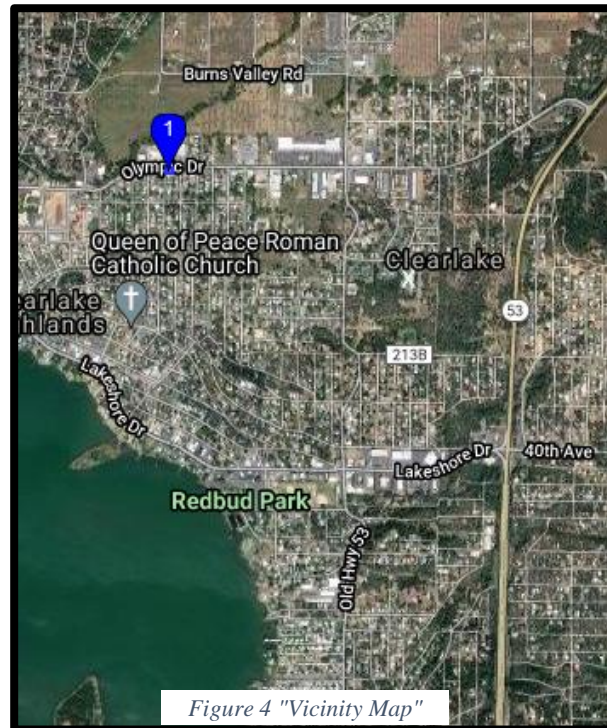


Figure 4 "Vicinity Map"

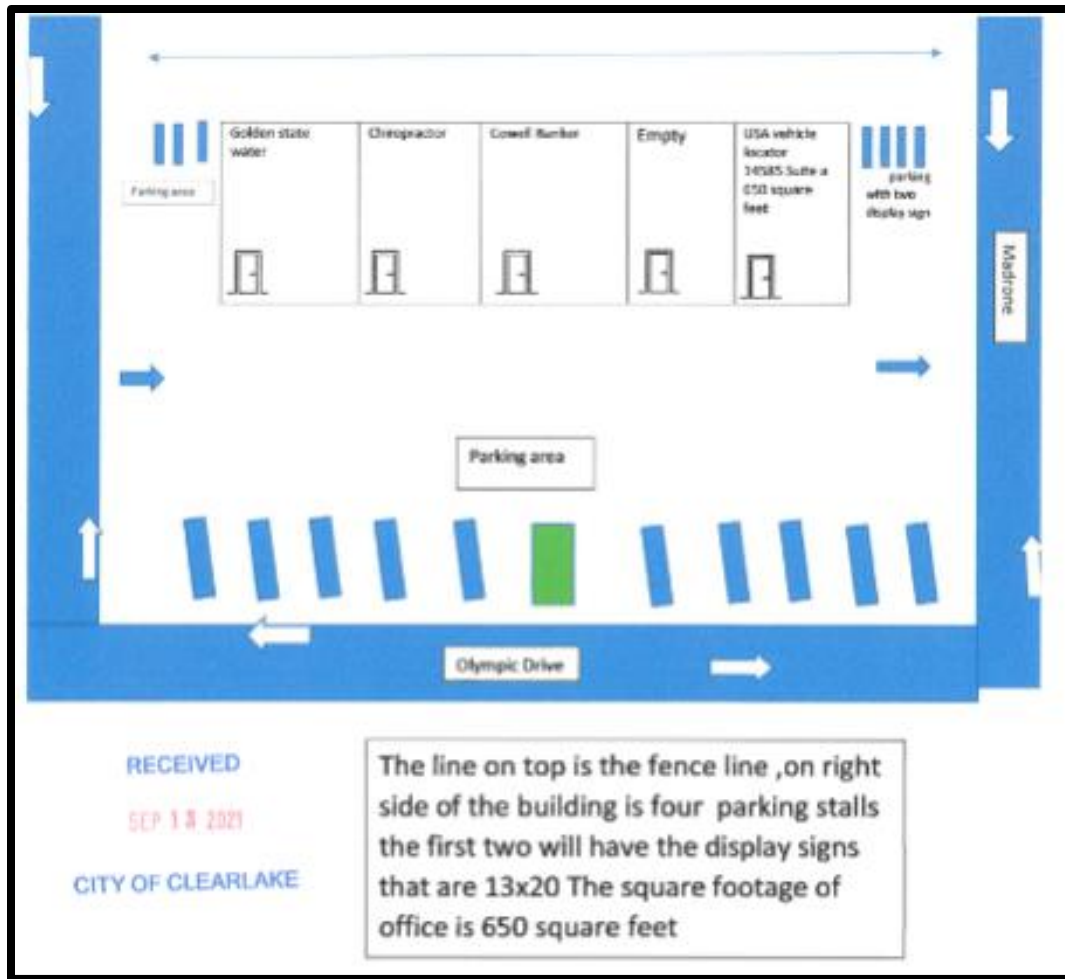


Figure 5 "Site Plan"

Based on the submitted project description (Attachment 5), all vehicle sales will occur online. Standard operating procedures² are as follows: an interested party would reach out to an employee and inform them of what type of vehicle they are searching for. Upon receiving this information, the employee will begin conducting the required research to locate the requested vehicle. Once a vehicle is located, the customer will either accept or not accept the offer. If the customer accepts the offer, the employee begins processing the necessary paperwork. Once the paperwork has been completed, the vehicle will be delivered directly to the customer. At times, the customer will request to inspect and/or pick up the vehicle at the project site. In this case, the vehicles would be displayed in the designated parking spaces (Figure 5 above and Attachment 6).

As the business operation experiences demand for services overtime, the business owner anticipates hiring employees as needed.

The business would operate Monday through Sunday, 8 a.m. to 5 p.m.

² See Attachment 2: Application Materials

GENERAL PLAN CONSISTENCY, AND ZONING AND DESIGN STANDARDS COMPLIANCE:

General Plan Consistency:

- The General Plan identifies the project site for commercial land uses. The project involves automotive retail sales consistent with the commercial land use designation.
- The site falls within the Olympic Drive Corridor, one of nine key growth areas of Clearlake's Preferred Growth Scenario, as described by the General Plan (2040):
 - **Program LU 6.1.1.2:** Update the City's zoning regulations to allow for more residential-serving commercial uses along Olympic Drive.
 - **Program ED 2.2.1.1:** Through the Zoning Code Update, the City shall designate appropriate land for commercial land use along highly accessible commercial corridors such as Lakeshore and Olympic Drives and State Route 53
 - **Policy ED 4.1.1:** The City should attract growth and revitalization along the Lakeshore Drive and Olympic Drive loop.
 - **Program ED 4.3.1.1:** The City should implement streamline programs for permitting and development applications for commercial revitalization projects along Lakeshore Drive and Olympic Drive.

Zoning Ordinance Regulations:

- Planning Commission Approval: The proposed operations would involve the retail sale of automobiles, which requires a conditional use permit in the GC zone.
 - In order to grant a use permit, the Director or Planning Commission or on appeal, the Council, must find that the proposed use will not be detrimental to the health, safety or welfare of persons working or living at the site or within the vicinity. The Director, Planning Commission or Council may deny the proposal or attach conditions as deemed necessary to secure the purposes of these regulations. Actions on use permits shall be justified by written findings, based on substantial evidence in view of the whole record (CZC Section 18-28.040, *Findings*)
- Off-Street Parking: Per DMV regulations for a retail sales license, the operation must have a minimum of two parking spaces
 - As indicated on the site plan, 17 shared parking spaces are currently on site (4 adjacent) and there appears to be sufficient loading. The number of parking spaces complies the number of required spaces per the City's Off-

Street Parking Code requirements for the size of commercial space:

Commercial Retail: 0 to 2,000 structure's square feet of floor area	1 space per 250 sf.	1 space per 25,000 sf.
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Figure 6 "Table 23: Required Parking & Loading..."

- The parking lot design must comply with the City's *Parking Design Standards* in terms of size, orientation, and access, as well as fulfill all ADA requirements. Two standard and one van accessible handicapped space are required, as approved by the City Engineer.
- Exterior Lighting: The applicant has not provided a lighting plan at this time. Any new lighting will be subject to compliance with **Section 18-20.120** of the Zoning Code regarding night sky preservation as well as the City's *Lighting Standards*. Use permit conditions of approval requires submittal and approval by staff of a detailed lighting plan that complies with these standards.
- Trash/Recycling Containment: In accordance with **Section 18-20.070**, a 15' x 15' trash enclosure plan for storage of recycling and trash will provided. A condition of approval requires that such installation shall be completed, consistent with the City's *Trash/Recycling Enclosure Design Standards* prior to occupancy.
- Signage: The applicant has not indicated any new signage for the facility. As a condition of approval, the applicant will need to submit a sign program (if proposed in the future) for staff review for compliance with the Zoning Code prior to installation of any signs.
- Landscaping: Application materials did not include any upgrades to landscaping, which would have to be compliant with the City's *Landscaping and Irrigation Standards*. Use permit conditions of approval requires submittal and approval by staff of a detailed landscaping and irrigation plan that complies with these standards (specifically for the parking area).

ENVIRONMENTAL REVIEW (CEQA):

Categorical Exemption CE 2021-13.

In accordance with CEQA section 15301. Existing Facilities (Class 1) and the City's Environmental Guidelines, the Planning Commission will need to concur that the project is exempt from environmental review.

AGENCY AND PUBLIC REVIEW:

The following agencies were contacted on September 16, 2021, for review and comment for the proposed project application, CUP 2021-34 and CE 2021-13:

- City of Clearlake: Building Department, Code Enforcement, Police Department, Public Works.
- County of Lake: Air Quality Management, Assessor/Recorder Office, Environmental Health Department, Lake County Fire Protection District.

The Lake County Fire Protection District responded on September 16, 2021 (Attachment 3).

No other local agency departments provided comments.

The City did not receive any adverse comments from the General Public

MOTION/OPTIONS:

1. Move to Adopt Resolution PC 2022-06 (Attachment 1), A Resolution of the Planning Commission of the City of Clearlake Approving Conditional Use Permit Application CUP 2021-34 & Categorical Exemption, CE 2021-13 for the development of an Automobile Sales Operation located at 14585 Olympic Drive, Suite A, Clearlake Ca 95422.
2. Move to Deny Resolution PC 2022-06 and direct staff to prepare appropriate findings.
3. Move to continue the item and provide alternate direction to staff.

Attachments:

- 1) Resolution PC 2022-06 with Conditions of Approval (Exhibit A)
- 2) Request for Review Letter and Distribution
- 3) Agency Response(s)
- 4) Planning Application
- 5) Project Description ("Applicant Statement of Fact")
- 6) Site Plan (September 13, 2021)
- 7) Property Lease Agreement