



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
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MEMORANDUM

DATE: APRIL 17, 2017

TO: BOARD OF SUPERVISORS

FROM: ROBERT DOSTALEK, STAFF PLANNER

SUBJECT: JENSEN'S TRAVEL PLAZA PROPOSED REZONE AND USE PERMIT
(R 2015-0001 & U 2015-0008) - 1460 LOVERS LANE AND 190 KUKI LANE,
UKIAH, APN: 170-120-09 & 170-120-12

REQUEST: On March 20, 2015, Lawrence Mitchell ("Applicant") submitted applications to rezone the subject property from Limited Industrial (I-1) to General Commercial (C-2), and for a Minor Use Permit to demolish the existing "Jensen's Truck Stop" (proposed to become the "Jensen's Travel Plaza") structures and re-establish "Automotive and Equipment—Gasoline Sales" (commercial fueling station) for large transport and passenger vehicles. The request also includes construction of two (2) new commercial office/retail buildings totaling 13,852± square feet and replacement of underground fuel tanks and distribution piping.

BACKGROUND: On December 1, 2016, the Planning Commission by a vote of 7-0, adopted Resolution #PC 2016-0014 to recommend the Board of Supervisors adopt a Mitigated Negative Declaration, grant the Rezone, and approve the Use Permit for the Project, as proposed by the applicant, based on the facts and evidence contained in the record and subject to conditions of approval.

PLANNING COMMISSION DISCUSSION TOPICS/ISSUES:

- A recommendation by the Ukiah Valley Fire Department ("UVFD") is to reverse the vehicular traffic circulation pattern for the project to ensure adequate clearance for emergency vehicle access. The Planning Commission, and staff of the Department of Planning and Building Services ("PBS"), Department of Transportation ("DOT") and the UVFD discussed this aspect of the project and associated directional signage. The recommendation of the UVFD was incorporated by staff as condition of approval number #12 to require the reversal of the vehicular traffic pattern and associated signage.
- The applicant raised the question to the Department of Transportation and Planning Commission whether the County right-of-way property "median strip" between State Street and Lovers Lane could be used to erect a business sign. DOT staff responded that a specialty sign would not be allowed in the County right-of-way, but that a generic gas station sign may be allowed. Subsequent to the December 1, 2016, Planning Commission meeting, DOT informed Planning staff that the formal procedure to acquire the median strip for private use (i.e. sign placement) would be through a "Road Vacation Petition." This information was forwarded to the applicant for their consideration.
- The applicant requested the deletion of condition of approval #13 because the General Plan designation was previously changed by the Ukiah Valley Area Plan (UVAP), not at the owner's request. Staff explained how the zoning and General Plan designation are currently inconsistent and the condition would collectively harmonize the General Plan, UVAP and requested rezone to C-2 (General Commercial). This would be accomplished through the application of Mixed Use design criteria as the property continues to develop in the future. However, the Planning Commission did not modify condition of approval #13.

- The applicant also requested the deletion or modification of condition of approval #28 since most of the required improvements would go beyond the immediate scope of work. Condition of approval #28 specifically requires planters, curb/gutter, sidewalk and road approach improvements be installed along three sides of the subject property. The language of condition of approval #28 was modified to respond to the applicant's remarks by allowing incremental installation of the roadway improvements as the parcel is developed over time.

CALTRANS LETTER DATED DECEMBER 19, 2016: Subsequent to the Planning Commission meeting of December 1, 2016, PBS received a comment letter from the California Department of Transportation (CalTrans) dated December 19, 2016 in response to the project's June 6, 2016 Traffic Impact Analysis. The first bullet in the Caltrans letter notes potential cumulative impacts from other proposed developments in the region. The remaining four (4) bullets in the letter contain technical comments. The traffic engineer who prepared the report, Mousa Abbasi, Ph.D., provided responses to CalTrans' comments in an email to PBS staff dated March 24, 2017. The email clarified the questions posed by CalTrans and also stated the conclusions and recommendations contained in the report would remain unchanged. CalTrans staff, Rex Jackman, reviewed Dr. Abbasi's responses and provided an email to PBS dated March 30, 2017 stating the following:

"...Thank you for sending me the engineer's response to our technical comments. To clarify, the first bullet in our letter should be considered "advisory." We have no outstanding concerns on the project. As always, feel free to contact me if you have any questions or concerns."

CEQA: Staff has completed an Initial Study for the project, which indicated that a Mitigated Negative Declaration will be prepared. As discussed in the Initial Study and Key Issues section of the staff report prepared for the Planning Commission, a mitigation measure was identified and incorporated as condition of approval #12 to mitigate potentially significant impacts to Hazards and Transportation to a less than significant level. The mitigation measure requires development and submission of a final parking and circulation plan prior to the issuance of a building permit. Therefore, staff recommends a Mitigated Negative Declaration be adopted for the project.

RECOMMENDATION: The Board of Supervisors approves the rezone and use permit, based on evidence in the record and makes the following findings to:

1. Adopts Resolution No. _____ adopting a Mitigated Negative Declaration for the Rezoning of and Issuance of a Minor Use Permit (R 2015-0001 & U 2015-0008) for Certain Real Property Commonly Known as the Jensen's Travel Plaza;
2. Adopts Ordinance No. _____ Changing the Zoning of Real Property within Mendocino County; and
3. Adopts Resolution No. _____ approving a Minor Use Permit for Certain Real Property Commonly Known as the Jensen's Travel Plaza (APN: 170-120-09 & 170-120-12).

ATTACHMENTS:

- (A) BOS Resolution for Mitigated Negative Declaration
- (B) BOS Ordinance for Rezone
- (C) BOS Resolution for Use Permit
- (D) Planning Commission Staff Report dated December 1, 2016
- (E) Planning Commission Minutes dated December 1, 2016
- (F) Planning Commission Resolution adopted December 1, 2016