



APPEAL OF PLANNING COMMISSION APPROVAL OF PLATINUM STORAGE FACILITY

Applicant: Platinum Storage, LLC
Appellant: Ted and Laurie Shelton
Item No. 66

Presented By: Mark Wardlaw, Director
Land Use Services Department
August 8, 2023

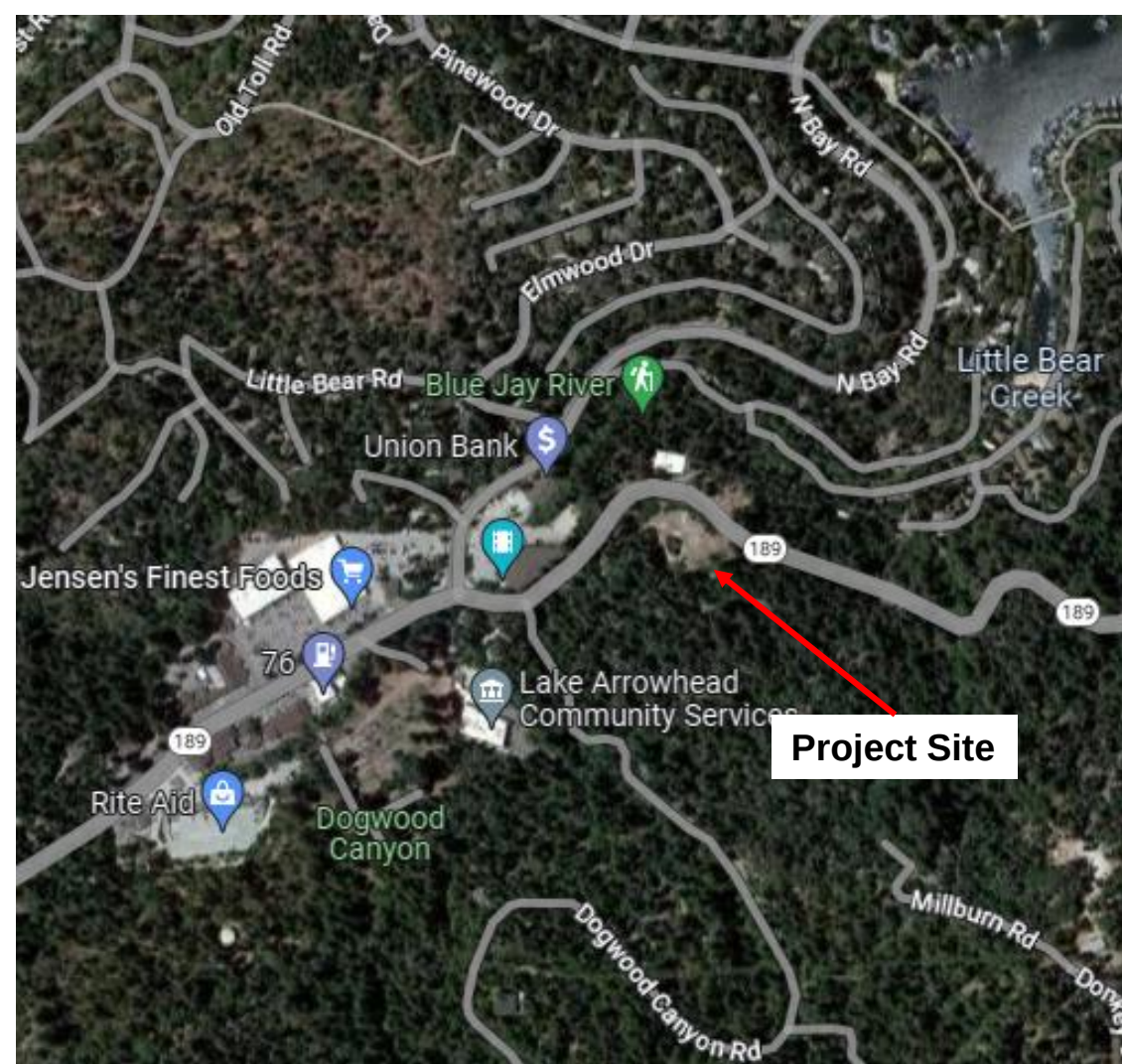


PROJECT DESCRIPTION

Appeal of the Platinum Storage Facility Project approved by the Planning Commission on April 6, 2023, consisting of a:

- Conditional Use Permit for a 59,855-square-foot three-story mini-storage building.
- Variance to increase the Floor Area Ratio, which is the maximum floor area to lot area ratio (usable floor area), from 0.5:1 to 1.13:1.

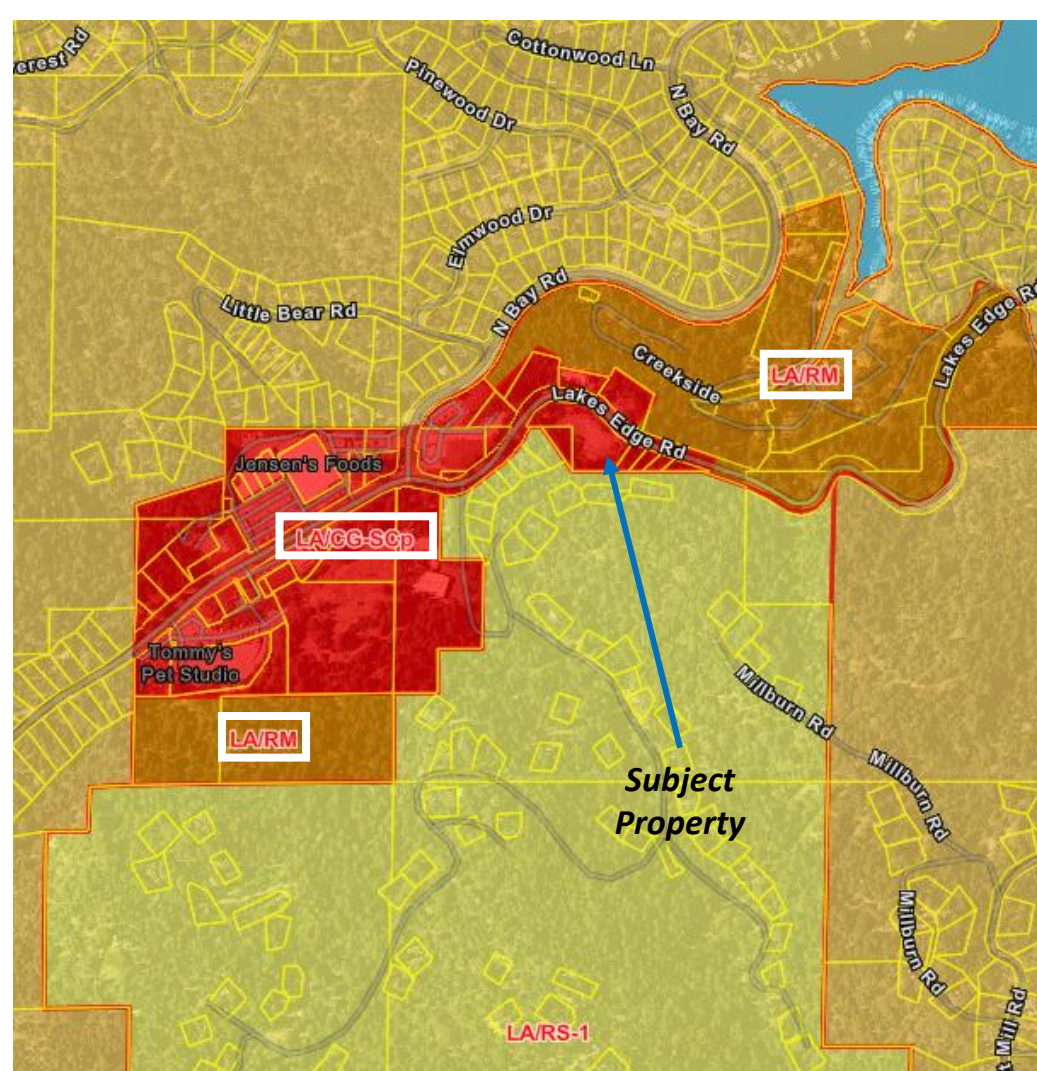
PROJECT SITE LOCATION

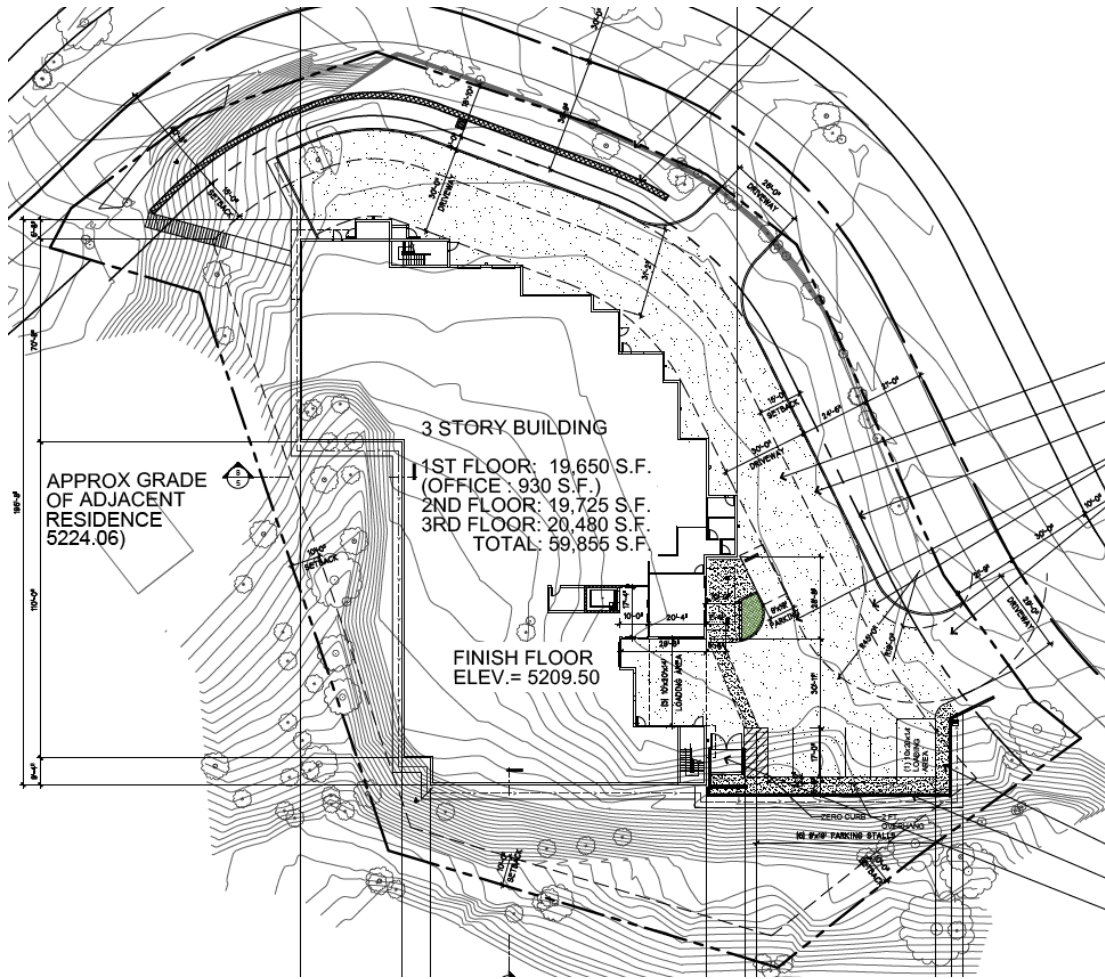


LEGEND

- LA/RS – Lake Arrowhead/Single Residential
- LA/RM – Lake Arrowhead/Multiple Residential
- LA/CG-SCp – Lake Arrowhead/General Commercial – Sign Control Overlay

ZONING MAP





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PROJECT ELEVATIONS



PROJECT PHOTOS

Looking northerly at
existing wall



Looking at west side
slope of property



Project Features: Three stories in height, square footage reduced from 71,008 to 59,885 to meet Fire Department accessibility requirements.

General Plan and Development Code Consistency:

- Property is designated Commercial in the Countywide Plan and zoned General Commercial.
- Complies with building height, parking, and setbacks.
- Variance required for the Floor Area Ratio.

Technical Studies:

- Greenhouse Gas Screening Table
- Biological Resource Assessment
- Geotechnical Report
- Cultural Resources Investigation



PROJECT BACKGROUND

- The minimum parcel size for new commercial parcels is 5.0 acres. The existing lots are legal, non-conforming, as the total Project size is 1.47 acres.
- At least four other existing commercial buildings in the immediate area exceed the 0.5:1 Floor Area Ratio.



FLOOR AREA RATIO VARIANCE REQUEST



- 56 public comments in opposition were received as part of the Project Notice.
- 20 public comments were received as part of the Notice of Availability in opposition to the proposal and Initial Study/Draft Mitigated Negative Declaration.

*An arborist report was provided with the public comments.

PUBLIC **COMMENTS**

- Protection of the old growth trees at the top of the slope was overlooked.
- Removal of trees would adversely affect views.
- Slope around the property has been subject to erosion and collapse.
- Zoning of the property was inappropriately changed.
- Retaining wall on Highway 189 is dangerous.
- Closure of Highway 189 for construction was not identified.
- Building and its operation do not comply with building codes.
- Regulations in the Countywide Plan are not reflected in the Project.
- Planning Commission limited the amount of time to speak.



ARGUMENTS IN THE APPEAL



- Project complies with adopted development requirements, except for Floor Area Ratio (FAR).
- Due to the topography and size of the combined parcels, a variance to the FAR was a reasonable consideration, without which, development on the property would likely not occur.
- Numerous existing businesses in the area exceed the required FAR.
- Building height was determined based upon Development Code requirements and adjacent slopes.
- Development requirements have been applied that include a slope stability analysis and a geologic report to ensure adequate slope protection.
- Retaining wall along Highway 189 would be relocated further into the property to increase visibility.

BASIS FOR STAFF RECOMMENDATION



On July 24, 2023, staff received a letter from the California Department of Fish and Wildlife (CDFW) raising concerns about the following:

- Circulation of the Initial Study/Mitigated Negative Declaration (IS/MND)
- Unable to access IS/MND
- Adequacy of the biological assessment
- Recommended Mitigation Measures

County Response to Comments:

- Notification/posting completed in compliance with State law and County procedures
- Complete biological assessment was prepared
- Proper mitigation measures and conditions of approval have been included ensuring a less than significant impact on biological resources

CDFW
COMMENT LETTER

RECOMMENDATIONS

Deny the appeal and take the following actions for the Conditional Use Permit and variance for a mini-storage facility approval:

1. Adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program.
2. Adopt the findings as contained in the Planning Commission staff report for the approval of the variance and Conditional Use Permit.
3. Approve the variance to increase the maximum floor area to lot area ratio from 0.5:1 to 1.13:1, subject to the Conditions of Approval.
4. Approve the Conditional Use Permit for a 59,855 square-foot mini-storage facility on approximately 1.47 acres, subject to the Conditions of Approval.
5. Direct the Clerk of the Board of Supervisors to file and post the Notice of Determination.