

Mayor
John Murray
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Mary Hornsby
Ed Martin
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**Planning
Department**

210 Fox Street
Lemoore ♦ CA 93245
Phone (559) 924-6700
FAX (559) 924-9003

STAFF REPORT

Item # 5

To: Lemoore City Council
From: Joseph Mendiola, Assistant Planner
Date: June 27, 2007
Subject: E.IA. #2007-05 / Density Bonus #2007-01 / Site Plan Review #2007-04, Applications by Pacific West Communities, Inc., to construct 54-unit Multi-Family Housing Community

Discussion:

Pacific West Communities, Inc., proposes to develop a multi-family work force housing community (Montgomery Crossing) containing 57 apartments on the remaining portion of a 5.05 acre-parcel, located on the east side of 19th Avenue, north of 19th Avenue Park, north of the future Tammy Lane alignment. Whether the apartment complex will be built on the proposed 3.09 acres or on an alternative 2.93 acres will largely depend on the City's need for additional ponding basin area of approximately 1 acre as well as approximately 1.12 acres that are needed for the Tammy Lane extension (see attached Planning Commission staff report).

The developer is requesting a density bonus to allow construction of the 57 units on that remaining portion of land (2.93 acres or 3.09 acres). Under Section 65915 of the California Government Code, the developer could potentially be allowed up to 35% density bonus however the developer only needs up to 15% density bonus which would require a minimum of 10% (or 6 housing units) that must be made "affordable" to low-income families through an affordability agreement with the City. Under this same Section 65915(d) the City must provide the applicant requested concessions for the production of these housing units unless the City "...makes a written finding based upon substantial evidence..." that the concession is not required in order to provide affordable housing or the concession would have "...a specific adverse impact...". Should the lesser of the two remaining parcels (2.93 acres) be used for development of the apartment complex the developer needs a concession with regards to setbacks, whereby 15' setbacks be allowed along Tammy Lane rather than the required 20' setbacks for second story buildings. The additional 5' setback requirement is generally provided under the City Zoning Ordinance to provide privacy to adjacent residential properties. However, the Montgomery Crossing apartment complex will be fronted by 19th Avenue Park, a public park, where no residences are permitted therefore residential privacy will not be an issue.

After public testimony and discussion at their June 25, 2007 meeting, the Planning Commission passed the attached Resolution No. 2007-14 with fifteen conditions of approval: of which conditions 6 and 7 were modified by the Planning Commission from the original staff report and are reflected in Resolution 2007-14. A copy of the Planning Commissioner's Staff report is attached for your review. Pursuant to the Lemoore Municipal Code, Council should pass a resolution either; affirming, reversing or modifying the Planning Commission's approval by Resolution. The attached draft Resolution 2007-26 proposes to affirm the Planning Commission's approval and would provide final approval.

Budget Impact:

None.

Recommendation:

Staff recommends that Council pass the attached Resolution 2007-26 affirming the attached Planning Commission's Resolution No. 2007-14 adopted June 25, 2007, and providing final approval for Categorical Exemption No. 2007-05, Density Bonus No. 2007-01 and Site Plan Review No. 2007-04 as stated in the attached Planning Commission resolution.