

RESOLUTION NO. 2008-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE  
RECOMMENDING THE LEMOORE CITY COUNCIL APPROVE A MITIGATED NEGATIVE  
DECLARATION 2007-21 / SPECIAL ZONING EXCEPTION 2008-01 / CONDITIONAL USE  
PERMIT 2008-02 / SITE PLAN REVIEW NO. 2007-09 TO  
CONSTRUCT AN 83 ROOM THREE STORY CANDLEWOOD SUITES HOTEL  
BY LEMOORE EQUITY PARTNERS

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on February 11, 2008 at 7:00 p.m. on said day, it was moved by Commission Member Norgaard, seconded by Commission Member Elgin and carried that the following Resolution be adopted:

**WHEREAS**, Lemoore Equity Partners, have submitted an application for Environmental Assessment / Special Zoning Exception / Conditional Use Permit / Site Plan Review to construct an 83 room three (3) story Candlewood Suite Hotel on a 3.49 acre site; and

**WHEREAS**, the project contains 83 rooms with kitchenettes, spa, swimming pool, fitness center, laundry facility, and small convenience store; and

**WHEREAS**, the proposed Candlewood Suites Hotel is located at the northwest corner intersection of East D Street and Daphne Street, more specifically known as Assessor's Parcel Numbers 023-020-037; and

**WHEREAS**, the zoning on the parcel is Commercial Highway (CH) and Professional Offices (PO), and the General Plan designation is Highway Commercial and Professional Offices and the proposed 2030 General Plan proposes a Mixed Use land use; and

**WHEREAS**, staff conducted an environmental assessment and determined that a Mitigated Negative Declaration should be filed under the California Environmental Quality Act (CEQA); and

**WHEREAS**, the Special Zoning Exception was filed so that the parcel would be in conformity with the proposed 2030 General Plan; and

**WHEREAS**, a public hearing was noticed in the Lemoore Advance January 31, 2008, and notices were sent to the property owners within 300' of the subject site January 23, 2008 (more than 10 days in advance of the meeting), and the Lemoore Planning Commission held a duly noticed public hearing at their February 11, 2008 meeting; and

**NOW, THEREFORE, BE IT RESOLVED** that the Lemoore Planning Commission of the City of Lemoore:

- I. Finds that the change to the Mixed-Use designation is needed to meet the purposes and objectives outlined in Section 9-1-2 of the Lemoore Municipal Code.
- II. Makes the following findings specified in Section 9-15B-2E of the Lemoore Municipal Code on the basis of the application, staff report, and the evidence submitted the Planning Commission:
  - a.) That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.

- b.) That the proposed location of the conditional use is in accordance with the objectives of this Title and the purposes of the district in which the site is located.
  - c.) That the proposed use will comply with each of the applicable provisions of this Title. (Ord. 7901 2-6-79 as amended, 1-1986) so long as the following conditions of approval are met;
- III. Recommends that the City Council, at their March 4, 2008 meeting, approve Mitigated Negative Declaration No. 2007-21 pursuant to CEQA, approve Special Zoning Exception No. 2008-01 and ancillary Conditional Use Permit 2008-02 to change the zoning of the parcel from Commercial Highway and Professional Office to Mixed Use once the new zone district is in place and the project is built by adopting an Ordinance, and approve Site Plan Review No. 2007-09 to construct an 83 room Candlewood Suites Hotel after holding a public hearing to expire February 11, 2009 with the following conditions of approval to guarantee that the objectives of the Zoning Ordinance, and more specifically Section 9-1-2, are met:
1. The project shall be developed as per approved redlined plans, and any deviation from the approved plans will require re-submittal, payment of appropriate fees, and a new approval by the Planning Department, unless covered in the conditions below.
  2. Phases II and III are not a part of this application and will require a separate Site Plan approval review.
  3. Proposed Phase 1 and 2 will need to be moved south to include both ingress and egress of each approach, unto the site for each phase of the construction. Corrections will need to be reflected on the final drawings and will need to be approved by the Public Works Department and the City Engineer.
  4. Prior to the issuance of a building permit, a 10' PUE offer of dedication along Daphne Lane and D Street, shall be made, called out on the final drawings and recorded with Kings County. Additionally, the 28' ROW dedication, along the westerly property line shall be made to the City and recorded with the Kings County Clerk/Recorder with an 'Acknowledgement' versus an 'Acceptance'. This ROW shall be owned, maintained and the responsibility of the applicant/owner until such time as the City 'Accept' the dedication. Lastly, a blanket cross-access / cross-parking / cross-utility easement shall be recorded across the entire site.
  5. Daphne Lane shall have striping to accommodate one south bound travel lane and one north bound travel lane along the majority of the site (with the exception of the area immediately adjacent to the intersection) and 6' wide striped bike lanes in the street with 7' wide parkway strips and 6' sidewalks. However, if some of the recent improvement conflict with this, some leeway should be provided so that concrete does not have to be torn out.
  6. Parking spaces need to be modified to accommodate 9'x20' size without anticipating overhang and four (4) additional handicap stalls shall be added. A cross-parking access agreement should be recorded over the site prior to a Parcel Map being recorded.
  7. A bike rack shall accommodate at least six (6) bicycles and shall be incorporated into the site and located within a visible and accessible area. The proposed rack type and location shall be submitted to the Planning Department for approval prior to a building permit being issued.
  8. No less than fifteen percent (15%) of the Phase I portion of the parcel shall be landscaped with at least 5% of the parking lot being landscaped from this total as generally shown on the redlined site plan. Landscaping in the ten foot (10') wide landscape easement shall be installed along Daphne Lane along Phase I's site to include ground cover, shrubs to hide cars, and trees planted at an average spacing of 20' on center (with appropriate deep bubbler irrigation).

A five (5') wide parkway shall be installed with Phase I of the project along both Daphne Lane and East D Street using ground cover and trees from the City approved Street Trees List planted 40' on center along the entire parcel frontage.

A 5' wide landscape buffer strip shall be installed and shall form a solid visual cover to 7' in height within one year, along the west and northerly portions of the site spaced at an average of 20' on center (with appropriate deep bubbler irrigation). Landscaping shall be provided over Phases II & III areas to reduce dust problems.

9. The overall design of the project shall provide a pedestrian friendly environment by providing pathways as delineated on the redlined plans (Exhibit A) and incorporate stamped colored concrete or pavers in a color that compliments the light brown tones of the Hotel. No ramps are delineated on the site plans however any and all ramps will need to be properly identified in the drawing plans and include appropriate handicap ramp at curb returns.
10. A 7' wrought iron fence be installed along the northerly property line and the southwesterly portion of Phase I, as shown on the redlined drawing, and vines shall be strategically located so that solid screening can grow on the structure to create a visual buffer. Landscape buffer requirements will apply along the length of the fence to assist in further buffering the adjoining zones and be 5' wide in depth.
11. Street lights shall be installed along the entire parcel in accordance with City standards. Building mounted lighting shall be integrated with the architectural design of the building and shall be shown in the construction drawings. All other exterior lighting shall satisfy Building Department standards.
12. All public improvements such as sanitary sewer, storm drainage, water, and streets shall be installed in accordance with the City of Lemoore design standards and applicable Master Plans. The storm drain system must be upgraded to handle run off and meet NPDES regulations. *Upon completion of any infrastructure improvements and their acceptance by the City, the developer's engineer shall prepare drawings of as built improvements and shall submit to the City one reproducible and three blue line copies for the City's records in addition to a digital copy.*

The refuse trash enclosure shall be built per City standards in location delineated on the site plan in phase one. The trash enclosure shall be designed to include both a trash bin and a recycling bin of sufficient size to accommodate the use and will need to be upgraded to blend with the onsite architecture and appropriate landscaped to soften its appearance.

Four (4) fire hydrants shall be installed during this Phase I of the project and shall be at a distance no greater than 300' from the next nearest fire hydrant. The Fire Department Connection (FDC) shall be installed at the northwest corner of the building (hotel), as shown in the redlined drawing.

Any above ground utilities shall be undergrounded. Other new utilities shall be integrated into buildings or landscaped areas in such a manner to hide their appearance from public view. Roof mounted air conditioning units shall also be appropriately screened so that they are not visible from public streets.

13. Additional changes shall be incorporated to the exterior elevations as delineated per redlined Exhibit B and final color samples shall be submitted and approved by the Planning Director to ensure they are similar to the submitted color renderings.
14. Prior to any signage being order for the site, the developer must submit a sign application and applicable fee and receive separate approval from the Planning Department.

15. Due to the concurrent submittal of a Special Zoning Exception application, the applicant shall agree to allow the property to be re-zoned to reflect the new General Plan's designation, upon approval of the proposed General Plan by the City Council.
16. *The developer shall comply with the Fugitive Dust Control Standards of the San Joaquin Valley Unified Air Pollution Control District at all times.*
17. *In accordance with the findings of City Council Resolutions: 2006-46 adopted on December 5, 2006; 2006-48 and 2006-49 adopted on December 19, 2006; 2007-01 adopted on January 16, 2007; 2007-04 adopted on February 20, 2007 and the Colgan Consulting Corporation Development Impact Fee Study Report, the project will have an impact on the need for new public facilities and improvements in the City. The costs associated with these impacts and the connection between the need for new public facilities and the proposed project are set forth in these five (5) Resolutions listed along with the Colgan Report. As a result, the applicant shall be subject to and shall pay the impact fees as set forth in these five (5) Resolutions.*

Phase I of the project for the hotel will generate approximately 617 average daily trips.

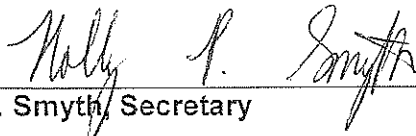
Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on February 11, 2008 by the following votes:

**AYES:** Norgaard, Elgin, Ormonde, Clement, Kendall, Moss  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** LeRoy

**APPROVED:**

  
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Kimberly Moss, Chairperson

**ATTEST:**

  
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Holly P. Smyth, Secretary

CERTIFICATE

STATE OF CALIFORNIA

COUNTY OF KINGS )  
CITY OF LEMOORE ) ss.

I, Holly P. Smyth, Secretary of the City of Lemoore's Planning Commission, do hereby certify the foregoing Resolution of the Planning Commission of the City of Lemoore was duly passed and adopted at a Regular Meeting of the Planning Commission held on February 11, 2008.

DATED: February 13, 2008

Holly P. Smyth  
Holly P. Smyth, Secretary  
Lemoore Planning Commission