

**Minutes of the Regular Meeting of the
Lemoore Planning Commission
September 28, 2009**

Chairperson Kendall called the meeting to order at 7:00 p.m.

Attendance: Ormonde, Marvin, Norgaard, Meade, Clement, Elgin, Kendall, and Planning Director Smyth.

Absent: None

Public Comments and Inquiries: City Manager Jeff Britz introduced City Attorney Jerry Behrens

Approval of Minutes of Meeting of July 13, 2009.

It was moved by Commissioner Meade, seconded by Commissioner Clement to approve the minutes of July 13, 2009 as submitted.

AYES: Meade, Clement, Elgin, Norgaard, Marvin, & Kendall

NOES: None

ABSTAIN: Ormonde

ABSENT: None

Approval of Joint Meeting Minutes of August 24, 2009.

It was moved by Commissioner Norgaard, seconded by Commissioner Marvin, to approve the minutes of August 24, 2009 as submitted.

AYES: Norgaard, Marvin, Meade, Clement, Ormonde, & Kendall

NOES: None

ABSTAIN: Elgin

ABSENT: None

Conditional Use Permit (CUP) Amendment #2009-03 / Site Plan Review Amendment #2009-07 by Lemoore Racing Enterprises, Inc. to amend the original Conditional use Permit and Site Plan

Planning Director Smyth reviewed the staff report along with overhead transparencies. She stated that Lemoore Racing Enterprises had brought in trial sand drags to see if it was feasible and something that would bring in additional race venues to the track. She stated that they set up a temporary facility with portable bleachers, porta potties, and portable lighting to see if the setup would work. Smyth stated the original CUP was tied to an approved site plan with the main parking area south of the oval. The proposed new 800' long sand drag strip to race quads and other small vehicles with ancillary facilities in the parking area needed a CUP amendment.

Director Smyth stated that the submitted project is to amend the initial CUP / site plan. There are several conditions of the original CUP that are not yet met and need to comply as required in Resolution 9414. She stated that the new proposal requires a few new conditions as listed in the draft resolution.

Director Smyth stated that the submitted site plan appears to show the sand drags setback approximately 60' from the south westerly property line to the sand drag start line. There should be at least 120 feet between existing Highway 41 and the track's property line, which is reserved for future expansion of the freeway and frontage road, however the drag appears to be located in some of this right-of-way area.

Chairperson Kendall opened the public hearing at 7:25 p.m. and asked for testimony in favor of the project.

Kyle Evans, promoter for Lemoore Racing Enterprises stated that Smyth explained the project very well. He stated that they are keeping the track portable in case they do have to move various items. He reported that since he has been promoting the track this year the race season has been a success thus far, everyone likes it and they have had no injuries.

Commissioner Clement asked how many events they have in a given season and what their attendance has been. Mr. Evens stated that the events held on the sand drag side is anticipated to be 12 to 16 a year and this year they have had an average of 750 spectators. On the circle track side of things they have 19 to 25 events per year and approximately 450 spectators.

Commissioner Marvin asked if both the sand drag and midget tracks were owned by the same owner. Mr. Evans stated that they were both owned by the Lemoore Racing Enterprises. Commissioner Marvin asked when they expected city water. Mr. Evans stated that when it was within 100 feet it was required by the City that they tie in.

Commissioner Elgin asked what the plan for fires was, if there were no fire hydrants on site. Mr. Evans stated that they have plenty of water on hand. He stated that they have a water truck for dust control and the City Fire Truck is always out there and they have a big well that is not for drinking water.

Syd Smyth, 240 Hogan Drive, stated that he was involved with Lemoore Racing Enterprises since the early 80's. He stated that when they moved out to Highway 41 it was an alkaline pit, hard to get things growing out there and no shade. He stated that he was disappointed when the club didn't carry out the conditions of approval. They were supposed to get a tree grant that never came through; at one point there was an offer to dig the whole area and the club turned it down. He stated that he had gone out there last Saturday and there were 100 plus cars out there. He stated that when the club had it you would only see about 50 cars out there. Since Kyle has taken it over he has turned it around and is doing a great job with facility improvements and what they are proposing should be approved.

Floyd Tankersley of 542 Fairview Drive, stated that he was speaking as a citizen who had no vested interest in the race association, but that he had the opportunity to visit the track and it was safe and clean and that it was a great venue for the community.

Chairperson Kendall asked for testimony in opposition of the project. There was none.

The public hearing was closed at 7:30 p.m.

Planning Director Smyth stated that she had a couple of clarifications that needed to be made on the water issue. She stated that when Kerman Kart Club was going to purchase the property to the south, one of the conditions of approval was to bring City water from 19th and Idaho Avenues all the way down Idaho into the site. Since that fell through, they sold the property back to the City Redevelopment and therefore water would not be close to the site. Smyth stated that in regards to the issue of potential fires; you generally don't use water on fuel fires which are generally methanol, that is why they have fires extinguishers on hand.

Smyth stated that a sign application had not been submitted, but verbal discussions had been made about being able to keep signage on the grandstands for the race track. She stated that according to an on-site visit, signs/banners/flags are placed on the site for the raceway and no application has ever been submitted or approved for any signs/banners/flags for the entire site with the exception of the small freestanding Lemoore Midget Raceway pole sign on the northwest corner of the site that was relocated from the old facility.

Smyth stated that based on current policy in a Highway Commercial zone district, the site is entitled 800 square feet of signage as it has frontage on both a street and a highway. She stated that under the code the site could have one freestanding sign up to 100 square feet in size which one interior lit freestanding sign already exists on site behind a tree right off of Idaho Avenue but is not visible. Smyth stated that the Planning Commission and City Council should consider allowing a 300 square foot identification sign for the race facility should they wish to install in the future on a block wall structure built below the existing grandstands facing the highway once design is approved by Planning Department. She stated that flags are permitted and are not counted toward the maximum cumulative signage calculation, provided that each flag does not contain any commercial message and does not exceed twenty five (25) square feet in area, and their combined area does not exceed 320 square feet under the normal sign provisions. Smyth stated that it is uncertain what size and how many flags are located on the facility and what their cumulative area is and between this meeting and the Council meeting Lemoore Racing could get this information to Planning. She stated that should the Planning Commission and City Council think that what is in place today is adequate; an increase in signage should be added to the CUP. Smyth stated that under the sign ordinance, wall signs are only allowed when painted on or fastened parallel to a wall and it is not a banner. The raceway has verbally stated that they want to be able to legally post 4'x8' sponsor signage across the top of the grandstand fencing, which is not considered a "wall" per se. The top of the grandstands are approximately 180' long which might accommodate 22 signs. Smyth stated that this type of signage should be approved as a "wall sign" along this area in the CUP, with the maximum number of signs not exceeding 10 to

reduce visual clutter from State Highway 41. She stated that staff recommendation has been drafted into the proposed new conditions, as it seems reasonable to the intent of the current regulations so long as these signs and the freestanding sign do not exceed the 800 square foot maximum. She stated that the additional signage would help the facility succeed.

Chairperson Kendall asked if alcohol is served at the track. Smyth replied that is was, however the drivers and those in the pit areas are not allowed to have alcohol as a requirement of the racetrack's insurance.

Vice-Chairperson Elgin asked about if a person is living out there in a trailer. Mr. Evans stated that the trailer was his personal trailer for the workers to take a break and no one was living in the trailer.

It was moved by Commissioner Meade, seconded by Commissioner Ormonde to recommend that the City Council to approve draft resolution with attached modifications to 6 and 17 as discussed.

AYES: Meade, Ormonde, Marvin, Norgaard, Clement, Elgin, and Kendall

NOES: None

ABSTAIN: None

ABSENT: None

Gated Community Policy Discussion

Planning Director Smyth reviewed staff report stating that during the joint Planning Commission/City Council meeting held August 24, 2009, the issue of gated communities was revisited. She stated that Council directed staff to prepare an ordinance for Council to consider allowing gated communities under a Conditional Use Permit. She stated that staff needed additional direction and therefore Joe Mendiola drafted the feedback form in the packet. She stated that if the Commissioner's have answered the questions, that maybe they could share ideas and have some consensus of where we are going so staff could draft an ordinance and notice a public hearing.

Commissioner Marvin stated that he had typed his form and thought maybe if any others had done the same that they could just hand it into staff and staff could work with the raw material and that all the questions that he answered assumes that they are in favor of a gated community.

Planning Director Smyth asked the Commissioners how many were in favor of a gated community. After a hand count the Director stated that five were in favor and that was enough to proceed.

PLANNING DIRECTOR'S REPORT:

Planning Director Smyth review attachments that were enclosed and stated that she was handing out the Activity Report showing the projects that staff has worked on. She stated that an agenda for the Valley Land Use Conference was enclosed and per an email sent directly to all Commissioners anyone that wanted to attend needed to reply to City Clerk by October 1, 2009.

Smyth also stated that Commissioners Clement and Meade terms were coming up in December and if they are interested in continuing to serve that City Clerk will ask for letters of interest.

COMMISSION'S REPORT AND REQUEST FOR INFORMATION:

There was none.

ADJOURNMENT: The meeting adjourned at 8:00 p.m.