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Tom Buford  
**Mayor Pro Tem**  
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Item# 8

## **Planning Commission Staff Report**

**To: Lemoore Planning Commission**  
**From: Holly Smyth, Planning Director**  
**Review Date: August 14, 2006**  
**Subject: Determine General Plan Conformance regarding vacating a portion of old Highway 41 / 19½ Avenue**

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### **Discussion:**

The Lemoore Planning Commission on March 15, 2005 approved Tentative Subdivision Map No.2004-07 in conjunction with a Planned Unit Development, Conditional Use Permit, and Environmental Assessment to develop Tract #838 with 74 single family lots and 5 multi-family lots, to accommodate 15 units. The project is located northeast of Silverado Drive between State Highway 41 and 100' east of the Acacia Drive alignment.

In reviewing the Final Parcel Map there are portions of the old State Highway 41 / 19½ Avenue rights-of-way that were to be abandoned, as shown on the attached map. The vacating of the shown area will eliminate an un-useable area that the City would have to otherwise maintain. Notices were sent to all utility companies to insure that the vacating will not adversely affect any infrastructure facilities. One adjustment has been made to the Silva Estates No. 10 Final Map to accommodate a gas line easement that was not identified in its correct location.

In order to initiate the street and easement abandonment process, the Council passed a "Resolution of Intent" and set a public hearing date for August 15, 2006 and asked the Planning Commission to make a determination that the proposed street abandonment is in compliance with the Lemoore General Plan. After such finding is made by the Commission, the Council will hold a public hearing and consider a Resolution to abandon the stated portions of old State Highway 41 / 19½ Avenue which must be recorded concurrently with or prior to the recording of the Final Map.

The Circulation Map of the Lemoore General Plan shows 19½ Avenue as a collector street north of Silverado Drive. An eighty foot (80') right-of-way already exists outside of the area of the proposed abandonment and is determined adequate by the Public Works Director. Therefore the proposed vacations are in conformance with the Lemoore General Plan.

### **Budget Impact:**

None.

### **Recommendation:**

The Planning Commission should pass the attached Resolution determining that the vacating of a portion of old State Highway 41/19½ Avenue is in compliance with the Lemoore General Plan.

#### PLANNING COMMISSIONERS

*Chairperson* – Bob Clement, *Vice-Chair* - Kimberly Moss  
Lisa Elgin, Sharon Kendall, Angie Mendes LeRoy, Marshall Norgaard, Mel Ormonde

**RESOLUTION NO. 2006-08**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE  
DETERMINING THAT THE PROPOSED VACATION OF A PORTION OF  
OLD STATE HIGHWAY 41 / 19 ½ AVENUE IS IN CONFORMANCE  
WITH THE LEMOORE GENERAL PLAN**

At the Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on August 4, 2006, at 7:00 p.m. on said day, it was moved by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_ and carried that the following Resolution be adopted:

**WHEREAS**, the City Council of the City of Lemoore on August 1, 2006 passed Resolution No.2006-38 declaring its intention to vacate a portion of Old State Highway 41 / 19½ Avenue, more particularly shown on the attached Exhibit "A" ; and

**WHEREAS**, pursuant to Government Code Section 65402, the Council submitted its intent to vacate a portion of old State Highway 41 / 19½ Avenue to the Planning Commission to determine its conformity with the Lemoore General Plan; and

**WHEREAS**, the Planning Commission reviewed the intention to vacate a portion of old State Highway 41 / 19½ Avenue as shown on attached Exhibit A, in its meeting on August 14, 2006, to determine its conformity with the Lemoore General Plan; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Lemoore does determine that the portion of old State Highway 41 / 19½ Avenue, as more particularly shown on "Exhibit A", does conform with the current Lemoore General Plan.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2006 by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

**Approved:**

\_\_\_\_\_  
**Bob Clement, Chairperson, Planning Commission**

**ATTEST:**

\_\_\_\_\_  
**Holly P. Smyth, Secretary of Planning Commission**



**CERTIFICATE**

**STATE OF CALIFORNIA )  
COUNTY OF KINGS ) ss.  
CITY OF LEMOORE )**

I, Holly P. Smyth, Secretary of the City of Lemoore 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 August 14, 2006.

**DATED: \_\_\_\_\_, 2006**

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**Holly P. Smyth, Secretary**