

Mayor
John Murray
Mayor Pro Tem
John Grego
Councilmembers
Mary Hornsby
Ed Martin
Willard Rodarmel



Planning
Department
210 Fox Street
Lemoore • CA 93245
Phone • (559) 924-6740
FAX • (559) 924-6743

Staff Report

Item # 4

To: Lemoore Planning Commission
From: Holly Smyth, Planning Director
Review Date: February 12, 2007
Subject: Resolution 2007- 03– Amending/Reiterating the Conditions of Approval of Site Plan Review No. 2005-04 for Chevron Station

Discussion:

On July 25, 2006, the Lemoore Planning Commission approved Site Plan Review 2005-04 to construct a 5,028 square foot one-story Chevron mini-mart and fast food building with a drive-thru carwash and a canopy with 12 pump fueling station at the southwest corner of Bush Street and 19 ½ Avenue.

The original conditions #17 and #22 required that “the design of the building shall be modified to match Exhibit C.1 and C.2” (which is attached) and “roof mounted utilities shall be screened from the Highway view or street view” which affects the design of the canopy over the fueling station to have a metal roof structure. During construction the applicant decided to incorporate solar panels into the project. The above listed current conditions would not easily accommodate solar panels on top of a pitched metal roof and definately would not be screened. In order to improve the amount of solar panels that could be accommodated on the canopy structure and thereby improving the amount of energy created the applicant is requesting that the conditions of approval be modified to allow the maximum number of panels to be accommodated by changing the design of the roof structure to a “standard” Chevron canopy which can hide some of the panel view as shown on the attached cross-sectional view, labeled Exhibit D.1 and D.2.

To date, the project has meet most other their conditions of approval or will meet them by the time that final occupancy is given and the applicant is not requesting any other modifications to the conditions of approval.

Staff recommends that conditions #17 and #22 be modified to read as follows:

“17. The design of the building shall be modified to match Exhibit C.1 and C.2 with additional modifications made to the canopy design as delineated in Exhibits D.1 and D.2 so long as solar panels are installed and operational within 12 months of final occupancy”.

“22. Any roof mounted utilities shall be screened from the Highway or street view unless incorporating solar panels”.

The attached draft Resolution makes these changes and reiterates all remaining conditions of approval.

Recommendation:

Planning Commission should approve the attached Resolution 2007-03 which modifies conditions # 17 and #22 and reiterates the remaining conditions of approval.

RESOLUTION NO. 2007-03

**A RESOLUTION OF THE LEMOORE PLANNING COMMISSION
AMENDING THE ORIGINAL CONDITION #17 AND #22 AND REITERATING THE REMAINING
CONDITIONS OF APPROVAL FOR SITE PLAN REVIEW NO. 2005-04
FOR BOB SHOCKLEY'S CHEVRON**

At a Regular Meeting of the Lemoore Planning Commission duly held on February 12, 2007, 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, Bob Shockley has submitted an application to modify Site Plan Review 2005-04 which allowed the construction of a 5,028 square foot one-story Chevron mini-mart and fast food building with a drive-thru carwash and a canopy with 12 pump fueling station to change the design of the fuel canopy to better accommodate solar panels; and

WHEREAS, the subject property is located at the southwest corner of Bush Street and 19 ½ Avenue; and

WHEREAS, the Planning Commission of the City of Lemoore conducted a meeting on July 25, 2005, and voted to conditionally approve the project; and

WHEREAS, any modification to the original conditions of approval requires the approval of the original decision making body; and

WHEREAS, the City of Lemoore supports solar power and wants to improve the efficiency of the units and therefore is willing to modify the original canopy style; and

NOW, THEREFORE, BE IT RESOLVED that the Lemoore Planning Commission hereby approves the amendments to the original conditions of approval #17 and #22 and reiterates the remaining conditions of approval as listed below.

1. Prior to the issuance of a building permit, all on and offsite construction and improvement drawings shall be in compliance with the conditions of approval.
2. Bush Street shall have 114' of total right of way from a point approximately 148' west of the 19½ Avenue intersection. This section shall be able to accommodate 92' of curb to curb width to handle two thru lanes, one left turn lane and one right turn lane traveling eastbound and two thru lanes and one right turn lane traveling westbound as well as an 8' raised landscaped median island. Outside the ultimate street area 5' parkways and 6' sidewalks shall be provided. The developer shall be responsible for the provision of improvements applicable to the southern half of the street along their property line. See Exhibits A.1 and A.2 for clarification. Should these improvements affect the site plan, the landscape area can be reduced to 10' and the driveway on the back side of the main building can be reduced.

The remaining westerly portion of Bush Street to the on/off ramp of Highway 41 shall be 100' of total right of way and be able to accommodate 78' of paving curb to curb. The curb to curb street shall accommodate two thru lanes and one right turn only lane traveling eastbound and two thru lanes and one right turn only lane traveling westbound with a 6' raised landscaped median island. Outside the ultimate street area 5' parkways and 6' sidewalks shall be provided. The developer shall be responsible for the provision of improvements applicable to the southern half of the street along their property line. See Exhibits A.1 and A.2 for clarification. Should these improvements affect the site plan, the landscape area can be reduced to 10' and the driveway on the back side of the main building can be reduced.

19½ Avenue shall have 84' of total right of way and shall accommodate 60' of curb to curb width to handle one thru lane, one left turn lane and a bike lane / right turn lane traveling northbound and one thru lane and a bike lane / right turn lane traveling southbound. Outside the street area a 6' parkway and 6' sidewalk shall be constructed. The developer shall be responsible for the provision of improvements applicable to the western half of the street along their property line. See Exhibits A.1 and A.2 for clarification.

A cross-access easement shall be given through the parking area on the southern portion of the property to the adjacent property.

All the above dedications, easements and existing rights-of-way shall be coordinated with the Community Development Department and shown on the previously approved Tentative Parcel Map 2005-01 with a 30' corner radius and new handicapped ramps on the southwestern corner of the intersection prior to recording a Final Parcel Map.

3. The existing monolithic sidewalk, curb, and gutter shall be removed along Bush Street adjacent to the subject site and additional paveout shall be provided to accommodate the previously mentioned lane configurations and parkway style sidewalk system (which may push existing improvements out 10-15' on the southside of the street).

New paveout, gutter, parkway, and sidewalk shall be installed along 19½ Avenue adjacent to the project site to accommodate the previously mentioned lane configurations and parkway style sidewalk system.

4. A 6' raised landscape median island with appropriate landscape shall be constructed along Bush Street from the 19½ Avenue intersection westerly approximately 560' as approved by the Community Development Department and maintained by the developer. See Exhibits A.1 and A.2 for clarification.

Center left-turn lane striping shall be provided for northbound traffic along 19½ Avenue for use when the business first opens. The installation of a concrete median to stop left-turn movements at the driveway closest to the intersection can be deferred until the time when traffic conflicts become problematic as determined by the Police and Public Works Departments.

5. A traffic signal will need to be installed in the near term at the intersection of 19½ Avenue and Bush Street as development occurs and impact fees have been previously set to pay towards such improvement. However, current impact fees did not account for the need to coordinate signals along Bush Street between 19½ Avenue and Belle Haven Drive which is necessary per the Dowling Traffic analysis. Additionally, a possible reconfiguration of the interchange at Bush Street and State Route 41 has not been accounted for and will also be addressed during the new impact fee study update.
6. Prior to pulling building permits, the applicant/owner shall show proof that their project has meet the requirements for the fuel station and the food components of the project set by the County of Kings Department of Public Health (KCHDEHS) as stated in the staff report and reflected in Exhibit B letter from the County.
7. Thirty six (36) parking spaces need to be provided on the project site with four spaces being provided for handicapped parking as shown in the site plan. Handicapped parking shall be ADA compliant and include the required signage, access and parking.

A bike rack to accommodate at least four (4) bicycles shall be incorporated into the site and located as shown on the proposed site plan. The material of the rack shall be to minimize damage to bicycles and the users.

8. A detailed landscape/irrigation plan shall be submitted to and approved by the Community Development Department to insure that the landscape schematic plan is generally carried out (with additional landscaping mentioned in the staff report), the future building pad is adequately landscaped during the interim period, and the requirements of the City are met. Such plans shall also include an 8' raised landscape median in the center of Bush Street, a 5' parkway adjacent to Bush Street, a 6' parkway adjacent to 19½ Avenue with the sidewalk abutting the project site. Parkway trees shall be spaced at an average spacing of 40' between their centers from the approved City List which will require 13 trees along Bush Street and 9 trees along 19½ Avenue.

The adequate maintenance of the parkways adjacent to the project site will be the responsibility of property owner and a proportional share of the maintenance costs of the median island shall be paid to the City annually.

9. Bikelane striping and signage shall be installed along 19½ Avenue with the ability for traffic to use such lane as a turn pocket into the project site.
10. If the parcel remains as one parcel, a 7' ornamental block wall will have to be installed on the southern portion of the property adjacent to the residential zoned area.
11. Building mounted lighting should be integrated with the architectural design of the building and shall be shown in the construction drawings above doorways.
12. Street lights shall be installed adjacent to the project site in accordance with City standards that require lights to have a maximum spacing of 165' which will require the installation of 5 new City street lights. The existing City street light at the southwest corner of the intersection may need to be moved to accommodate the above listed improvements and shall be the responsibility of the developer and an encroachment permit will have to be obtained.
13. The existing above ground power poles shall be undergrounded by the applicant as required by the Public Works Department on the project site.
14. All public improvements such as water, sanitary sewer, and storm drainage, shall be installed in accordance with the City of Lemoore design standards and applicable Master Plans. The water shall be extended to the site from the existing water main. The sanitary sewer shall be extended from the existing sanitary sewer main to this site as required by the Public Works Department and the City Engineer. The storm drain system must be able to handle onsite run off and meet NPDES Regulations, with drain basin calculations provided to the City Engineer. R-values must be provided along 19½ Avenue and Bush Street along with structural calculations by a registered civil engineer.
15. Two (2) fire hydrants shall be installed per the City Fire Department (one near the northerly driveway drive approach and one near fire department connection near the northerly fire hydrant).
16. The refuse trash enclosure shall be rebuilt per City Standards.
17. The design of the building shall be modified to match Exhibit C.1 and C.2 with additional modifications made to the canopy design as delineated in Exhibit D.1 and D.2 so long as solar panels are installed and operational within 12 months of final occupancy.
18. The total proposed cumulative signage package will need to be reduced to be less than 400 square feet, account for the modifications shown in Exhibit C.2, include the relocation of the monument sign to the northeasterly corner of the subject site and resubmitted for approval by the Community Development Department .

19. *The developer shall comply with the Fugitive Dust Control Standards of the San Joaquin Valley Unified Air Pollution Control District at all times.*
20. *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.*
21. In accordance with City Council Resolution 2005-24 adopted on June 7, 2005, the Council has authorized staff to prepare an updated impact fee study which is anticipated to be completed within one year. The project will have an impact on the need for new public facilities and improvements in the City. The costs associated with that impact and the connection between the need for new public facilities and the proposed project will be set forth in a new Resolution to be adopted by the City Council. As a result, the applicant shall be subject to and shall pay these impact fees when they are set forth; should construction commence prior to the completion of such fee schedule an interium assessment will have to be made. Development Impact Fees shall be collected upon issuance of building permits for the development at the rate in effect on the date of the building permit.
22. Any roof mounted utilities shall be screened from the Highway view or street view unless incorporating solar panels.

Passed and adopted at a Regular Meeting of the Lemoore Planning Commission held on the 12th day of February 2007, by the following vote:

AYES:
NOES:
ABSTAINING:
ABSENT:

APPROVED:

Kimberly Moss, Chairperson

ATTEST:

Holly Smyth, Secretary

CERTIFICATE

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

I, Holly Smyth, Secretary of the Lemoore Planning Commission, do hereby certify the foregoing Resolution of the Lemoore Planning Commission was duly passed and adopted at a Regular Meeting of the Planning Commission held on February 12, 2007.

DATED: _____, 2007

Holly Smyth, Secretary