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**Planning
Department**

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STAFF REPORT

Item # 5

To: Lemoore Planning Commission
From: Joseph G. Mendiola, Assistant Planner / Gloria Hobbs, Planning Technician
Review Date: June 25, 2007
Subject: E.I.A. NO.2007-07 / BOUNDARY LINE ADJUSTMENT 2007-02, APPLICATION BY VICTORY / PHARRIS LEMOORE, LLC & PEDERSON LIVING TRUST

A. General Information:

1. Applicant / Owners
 Victory/Pharris Lemoore, LLC
 1403 N. Tustin Ave., Suite 345
 Santa Ana, CA 92706
 (714) 972-1224 and
 Robert & Mardell Pederson Living Trust
 15478 Houston Avenue
 Lemoore, CA 93245
2. Engineer/Surveyor
 Provost & Pritchard
 Engineering Group, Inc
 3500 W. Orchard Court
 Visalia, CA 93277-7055
 (559) 636-1166
3. Location:
 East of Southern Pacific Railroad Right-of-Way
 and South of Bush Street
4. Zone Districts:
 R-1-7: Low-Medium Density
 RM-3: Medium Density
 RM-2: High Density
 CC: Central Commercial
 RSC: Recreational, School & Conservation
5. Lot Line Adjustment::

| | <u>Previous APN #</u> | <u>Existing APN</u> | <u>Existing Parcel</u> | <u>Proposed Parcel</u> |
|---------------------------|-----------------------|---------------------|------------------------|------------------------|
| | 023-510-031 | 023-510-036 | Parcel 6 (37.17 acres) | Parcel 1 (44.17 acres) |
| 023-510-015 & 023-510-013 | | 023-510-037 | Parcel 7 (95.48 acres) | Parcel 2 (88.48 acres) |
| 023-510-014, 015, 031 | | 023-510-038 | Parcel 8 (70.85 acres) | Parcel 3 (63.85 acres) |
| 023-510-014 | | 023-510-039 | Parcel 9 (62.67 acres) | Parcel 4 (69.67 acres) |

PLANNING COMMISSIONERS

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

B. Plan Location & Description:

Pharris Lemoore, LLC owns proposed Parcel 1 located west of the Southern Pacific railway right-of-way and south of Bush Street. Robert and Mardell Pederson Living Trust own proposed Parcel 2 located south of and contiguous to proposed Parcel 1. Robert and Mardell Pederson Living Trust also own proposed Parcels 3 and 4 located west of future Brooke Avenue and south of Pederson Street. **The proposed parcel numbers and existing APN numbers will be referenced for the remainder of this report.**

The properties are presently vacant and undeveloped. A Tentative Subdivision Map for Victory Village phase II is approved on Parcel 1 only. West Hills Community College is located to the east of Parcels 1 and 2 and to the north of Parcels 3 and 4. Agricultural land presently exists to the south of the properties and a protected wetlands area is located to the west and southwest of Parcel 2 with approximately 30 acres of wetlands being within Parcel 2.

The purpose of the boundary line adjustment is to increase the sizes of Parcel 1 (APN: 023-510-036) from 37.17 acres to 44.17 acres and Parcel 4 (APN: 023-510-039) from 62.67 acres to 69.67 acres while decreasing the sizes of Parcel 2 (APN: 023-510-037) from 95.48 acres to 88.43 acres and Parcel 3 (APN: 023-510-038) from 70.85 acres to 63.85 acres.

C. Project Review:

The State Map Act limits the City review of a boundary line adjustment. The City review is used to determine whether the proposed property line adjustment will be in compliance with the City Zoning and Building Codes. Review is conducted hereunder.

1. Zoning Districts:

The properties are zoned (R-1-7) Single Family Residence Low-Medium Density, (RM-3) Multi-Family Medium Density, (RM-2) Multi-Family Residence High Density, (CC) Central Commercial and (RSC) Recreational, School & Conservation. Parcel 1 (023-510-036) is currently zoned R-1-7, Parcel 2 (023-510-037) and Parcel 3 (023-510-038) are zoned RSC, R-1-7, CC, & RM-3, and Parcel 4 (023-510-039) is zoned RSC, RM-3, RM-2, and R-1-7 with PUD overlays on all parcel residential zoning.

2. Parcel Size / Area – Coverage:

Parcel Size: The minimum parcel size for RM-3 district is 3,000 square-feet (sq-ft), RM-2 district is 2,000 sq-ft and the R-1-7 district is 7,000 sq-ft or 5,000 sq-ft for Planned Unit Developments (PUD) within Low to Medium Density areas. Both CC and RSC districts do not have parcel size limitations. Under the existing zoning standards the proposed parcels will continue meeting the City site area requirements.

Area – Coverage: The RM-3 and RM-2 districts allow maximum site area coverage by structures to be 45 percent and 55 percent respectively. The R-1-7 district allows maximum site area coverage of 40 percent. RSC and CC have no limitations. There are presently no structures on the sites; therefore, all requirements are presently being met.

For lots developed under PUD procedures and within the R-1-7 District, “the minimum frontage, width, and depth shall be determined by the Planning Commission, provided, that each lot development shall be subject to the provisions of individual site plan review.”

3. Yard Requirements:

No structures currently exist or are proposed for these sites. Any new construction will be subject to their respective zone district setback requirements under a separate approval process.

4. Access:

Access only exists currently to a portion of parcel 1 via Bush Street and Marsh Drive (which is currently located on West Hills College property). However several future streets have been dedicated and will be constructed as future development occurs. Proposed Parcel 1 will have access to Bush Street, an existing arterial that has not yet been extended to meet the full length of the parcel. Parcels 3 and 4 shall be accessible on the north boundary lines by the future Pederson Street, a designated arterial. Parcel 2 access is shown through Brooke Avenue (which needs to be re-labeled to Marsh Drive) and Pedersen Street. A portion of Marsh Drive (which was previously incorrectly recorded as Brooke Drive and has been corrected by the City and recorded) is constructed adjacent to Parcel 1 and will need to be dedicated by West Hills College when the Victory Village subdivision is recorded.

The submitted Lot Line Adjustment delineates the proposed streets as per previously approved Parcel Map 2005-03 which was done for more than 950 acres of land on the Westside. **However, when staff reviewed the Westside Parcel Map file, it was discovered that Brooke Avenue, as delineated on the Lot Line Adjustment, should have been dedicated through an Irrevocable Offer of Dedication but not accepted as the actual street alignment was in question. Because it was given and mistakenly accepted by the City, the City must now abandon the right-of-way as we do not need it at this time and the street system could radically change due to the General Plan update.**

D. Environmental Assessment:

A Boundary Line Adjustment proposal is "Categorically Exempt" from California Environmental Quality Act (CEQA) as per Section 15305(a) of the State Guidelines. This Section exempts "minor lot line adjustments not, resulting in creation of a new parcel" from environmental assessment requirement. The Commission should make such finding for the record.

E. Recommendation:

Staff recommends that the Planning Commission adopt the attached Resolution 2007-13 which determines that the proposed Boundary Line Adjustment is "Categorically Exempt" from California Environmental Quality Act (CEQA) as per Section 15305(a) of the State Guidelines and approves the Boundary Line Adjustment with 5 conditions of approval stated therein.