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**Planning
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STAFF REPORT

Item # 8

To: Lemoore Planning Commission
From: Joseph Mendiola, Assistant Planner / Holly Smyth, Planning Director
Review Date: May 14, 2007
Subject: E.I.A. No. 2007-03 / Tentative Parcel Map No. 2007-01, Application by City of Lemoore Redevelopment Agency

A. General Information:

- | | |
|-------------------------------------|--|
| 1. Applicant / Owners | Lemoore Redevelopment Agency
Judy Holwell, RDA Project Manager
210 Fox Street
Lemoore, CA 93245
(559) 924-6701 |
| 2. Engineer/Surveyor | Quad Knopf
P.O. Box 3699
Visalia, CA 93278
(559) 733-0440 |
| 3. Location: | 1055 Commerce Way
(West side of Commerce Way east of Highway 41 known as Lot 14 of the Lemoore Industrial Park) |
| 4. Property Description: | Assessor Parcel No: 024-051-015 |
| 5. Site Area: | 10.78 Acres |
| 6. Number of Parcels to be created: | Nine (9) |
| 7. General Plan Designations: | Light Industrial |
| 8. Zone Districts: | ML (Light Industrial) |
| 9. Existing Use: | Vacant Industrial Land |

B. Project Location & Description:

The project is located on the west side of Commerce Way east of Highway 41, south of Valley Cycle Marine and north of the future Western RV (also known as Assessors Parcel Number 024 051-015). The parcel is approximately 10.78 acres in size, is vacant, and zoned Light Industrial. The applicant proposes to divide the parcel into nine parcels and abandon an existing 20' City sanitary sewer easement and 60' drainage easement with the Final Parcel Map.

PLANNING COMMISSIONERS

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

C. Project Review:

Tentative Parcel Map applications are reviewed to determine compliance with the State Map Act, the City of Lemoore’s policies, standards, codes and environmental impacts. The following findings have been made:

1. Subdivision Map Act / City Subdivision Ordinance

The applicant proposing to create nine (9) parcels to be used for future commercial or industrial development as allowed in the ML zone district as follows:

- Parcel 1 – 2.03 acres (88,326 sq-ft)
- Parcel 2 – 1.01 acres (43,800 sq-ft)
- Parcel 3 – 1.25 acres (54,522 sq-ft)
- Parcel 4 – 1.02 acres (44,583 sq-ft)
- Parcel 5 – 1.17 acres (50,971 sq-ft)
- Parcel 6 – 0.81 acres (35,335 sq-ft)
- Parcel 7 – 0.93 acres (40,437 sq-ft)
- Parcel 8 – 0.97 acres (43,195 sq-ft)
- Parcel 9 – 0.98 acres (42,798 sq-ft).

Kings County Planning Department called to ask if the submitted Parcel Map should be a Subdivision Map because it has more than four parcels which are not on an existing street. Staff consulted with attorney Dale Bacigalupi, who stated that the proposed Tentative Parcel Map is appropriate under Section 66426(c) of the Subdivision Map Act. This Section allows the filing of a Parcel Map creating five or more parcels when “the land consists of a parcel or parcels of land having approved access to a public street or highway, which comprises part of a tract of land zoned for industrial or commercial development, and which has the approval of the governing body as to street alignments and widths”.

Section 8-7C- of the Lemoore Municipal Code of the Subdivision Ordinance states the Planning Commission shall disapprove a tentative parcel map if it makes any of the following findings: a) that the proposed tentative parcel map is not consistent with the General Plan or any applicable specific plans as specified in Section 65451 of the California Government Code, b) that the design or improvements of the proposed subdivision is not consistent with the General Plan or any applicable specific plan, c) that the site of the proposed subdivision is not physically suitable for the type of development, d) that the site of the proposed subdivision is not physically suitable for the proposed density of development, e) that the design of the proposed subdivision is or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, f) that the design of the proposed subdivision or type of improvements is likely to cause serious public health problems, g) that the design of the proposed subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision, or h) that the tentative parcel map fails to meet or perform any of the requirements or conditions imposed by the Subdivision Map Act or this Chapter. Staff does not see any issues with the above listed items.

In addition to those items already shown on the Tentative Parcel Map, Section 8-7C-14c also requires the Final Parcel Map show 1) curve radii of proposed street intersections, 2) width of streets, and 3) street name which must be added to the final map.

As per Section 8-7C-13, the Final Parcel Map application shall consist of five copies of the map (printed on 18”x26” paper), a preliminary title report on the land to be subdivided (prepared not more than ninety days prior to the submittal), closure calculations, and an application fee.

The City Subdivision Ordinance Section 8-7C-10 of the Municipal Code states that a tentative parcel map shall expire twenty-four (24) months after its approval or conditional approval. Therefore, the expiration of the Tentative Parcel map shall be May 14, 2009.

2. Compliance with Zoning / General Plan:

The site is designated Light Industrial under the Lemoore General Plan and is zoned ML (Light Industrial). Industrial plants and other light industrial related services and activities including uses allow in the CS (Service Commercial) district are allowed as more specifically listed in Section 9-10A-2 of the Zoning Ordinance, as permitted uses. There is no minimum site area requirement for ML zoned properties, only MH districts require sites to be one-half (1/2) acre in size. All proposed parcels are larger than 1/2 acre. Setback requirements do not apply to the Tentative Parcel Map as no structures exist on the site.

3. Access / Rights-of-Way:

Commerce Way is a designated local street with an existing 60 foot right-of-way per County Tract No. 614, Lemoore Industrial Park No. 1 in Volume 14 Page 42. Access to the proposed nine (9) parcels will be from Commerce Way through a new proposed 31 foot wide private road (which should contain 30' of paving and 6" curbs on both sides of the street) 681' in length (see attachment) with a large cul-de-sac at the west end. The RDA possibly envisions constructing a water or landscape feature in the center of the cul-de-sac at a later date. Public Works and the Fire Department did not have any issues with the proposed private street design.

Behind the right-of-way, a 10' wide pedestrian and public utility access easement is proposed along the entire street frontage. The RDA does not propose installing sidewalks when the street is constructed. However, sidewalks could be required as future development is constructed within the 10'

4. Public Infrastructure:

City sewer, water and storm water main lines are located in Commerce Way. Future development proposals will be required to bring these utilities into the parcels before development can occur.

5. Easements:

A Ten foot (10') public utility easement already exists on the west side of Commerce Way. Southern California Gas Company "recommended that any private streets or common areas be dedicated for public utility use and that a six-foot (6') frontage strip in all lots facing the streets be dedicated as a public utility easement". The applicant proposes a ten foot (10') public utility easement along both sides of the proposed private road.

The applicant proposes to abandon a 60' drainage easement along State Highway 41. However, in 2005 the City Council vacated 30' of the easterly portion of the 60' easement and the remaining 30' closest to the State Highway needs to remain. Therefore, the Final Map should not show any drainage easement being abandoned but should show the existing 30' easement closest to the Highway in place as listed in the Preliminary Title Report.

The applicant is also proposing to abandon an existing 20' City sanitary sewer easement. The Public Works Director agrees that the abandonment of the 20' City sanitary sewer (SS) easement should be done as it was relocated years ago. In order to abandon this easement, a summary vacation process may be used according to the California Streets and Highways code Section 8333 which requires that the City Council to pass a resolution with the Final Map which accepts the Final map and abandons the 20' easement with the recording of the map without a public

hearing or Planning Commission determination of General Plan conformity. However, the abandonment of this easement is not an item addressed in the City's General Plan and therefore would be in conformity with the General Plan.

D. Comments form Other Agencies/Departments:

Referrals were made to various agencies and City Departments. Comments were received from the Public Works Director, the Lemoore Fire Chief and Southern California Gas Company. Their comments have been incorporated into this report and recommendations.

E. Environmental Impact:

A preliminary environmental impact assessment was conducted by staff in accordance with the California Environmental Quality Act. It was determined that the project would not have any significant adverse effect and a Negative Declaration has been prepared.

F. Recommendation:

The Planning Commission should adopt a Negative Declaration for the project pursuant to California Environmental Quality Act and approve the attached Resolution No. 2007-12, approving Tentative Parcel Map No. 2007-01 with the conditions included therein.