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**Planning  
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**STAFF REPORT**

**Item #** 4

**To:** Lemoore Planning Commission  
**From:** Holly Smyth, Planning Director / Gloria Hobbs, Assistant Planner  
**Review Date:** October 22, 2007  
**Subject:** E.I.A. #2006-27 / Zone Change No.2007-01/Site Plan Review #2006-20,  
Applications by Simpson Housing Solutions, LLC

**A. General Information:**

1. Applicant: Simpson Housing Solutions, LLC  
320 Golden Shore, Suite 200  
Long Beach, California 90802  
(562) 256-2000, (562) 256-2001 fax  
Sarah.white@simpsonhousing.com  
  
Owner: Gerryland Investments, Inc.  
5316 La Mirada Way  
Stockton, California  
(209) 649-0316, (209)931-4247 fax
2. Engineer/Surveyor: Maple Dell + McCelland Architects, LLP  
Karmen Harris  
380 Stevens Avenue suite 308  
Solana beach, California 92075  
(858) 755-5848
3. Location: Southwest corner of East D Street and  
Smith Avenue intersection.
4. Property Description: Assessor Parcel Nos: 023-020-64 &  
023-020-65
5. Site Area: 4.9 Acres
6. Existing General Plan Designation: HD – High Density
7. Existing Zone Districts: RM-2 (Multi-Family Residential)  
R-1-7 (Single Family Residential)
8. Proposed Zone District: RM-3 (Multi-Family Residential)
9. Existing Use: Vacant Land
10. Proposed Use: 66 unit Two Story Apartment Complex

**PLANNING COMMISSIONERS**

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**B. Plan Location & Description:**

Simpson Housing Solutions, LLC, proposes to change the RM-2 zoning of 2.9 acres located on the south of D Street and 2.00 acres of R-1-7 zoned property, located on the east side of Smith Avenue north of Oleander Avenue, to RM-3 on the entire 4.9 acres. The Site Plan proposes the construction of a 66-unit two story townhome/apartment complex on the two parcels once the Zone change is approved. The complex consists of 33 three-bedroom units containing at 1,206 square feet, 33 two-bedroom units containing 936 square feet, and one three bedroom manager's unit containing 1,309 square feet (which is located on the second floor of the community center). Building types include three triplexes, six four-plexes, one eight-plex, and two twelve-plexes. On-site amenities include a community recreation center with computer lab, fitness center, multi-purpose room, laundry facilities, pool, spa, bike racks, fenced tot-lot with play structures and management office.

**C. Project Review:**

The Application for Site Plan Review is being reviewed to determine its compliance with the City of Lemoore's policies, standards, codes and environmental impacts. The following findings have been made:

1. Compliance with General Plan/Zoning (including Coverage and Setbacks)

The site is located in an area designated for High Density use in the Lemoore General Plan. The underlying gross residential density per acre allows 16 to 20 units per acre and the proposal provides for 13.5 units per gross acre. The underlying net residential density per acre allowed ranges from 18 to 22 units per acre and the proposal provides 13.5 units per net acre. Based on the gross density and net density requirements, the project is deemed in compliance with the Lemoore General Plan in regards to population density because the current General Plan would allow 98 residential housing units over the two parcels.

The proposed new General Plan shows these parcels going to medium density residential which would allow 12 to 16 units per acre for a total of 78 units on the project site which is more units than proposed by the project but less than the current General Plan. The project does not propose changing the General Plan designation at this time as the project is in conformity with both the current and proposed General Plan designations.

The subject areas are zoned RM-2 and R-1-7 which allows for multi-family and single family uses respectively. Under current zoning the two districts would allow for 76 housing units of single family and multi-family housing combined. Because of the single family designation is on one of the project parcels, an application for zone change has been submitted to change both parcels to RM-3. The proposal would allow for a maximum of 71 units based on the 3,000 square foot per unit requirement under this proposed new zoning for both parcels, which is less than the current zoning.

The building intensity standards under the General Plan allow for up to 50% building coverage. The total of all buildings including the carports on site has a footprint of 52,484 square feet divided by the 213,444 square footage of the site, thereby covering 25% of the property which is in conformity with the current and proposed new General Plan.

The Zoning Ordinance requires the following building setbacks:

- Yards adjacent to streets shall be 15' in back of the right-of-way for single story buildings and 20' back for two story buildings. All proposed buildings conform.
- 10' setbacks required on all other yards if one-story, 15' if two story. All proposed buildings conform.
- All buildings are spaced at least 10' apart. All proposed buildings conform.

- Distance between interior roads and buildings shall be 10'. In other apartment projects "interior roads" have included the asphalt surfaced areas of the parking lot and drive aisles. Buildings 1 and 3 seem to be located 7' away from the parking area and it is difficult to measure the scale of one of the four-plexes and two of the triplexes meet this requirement. Therefore, the drive aisles may need to be reduced to 25' in order that the buildings shown on the redlined site plan are at least 10' away from the interior parking stalls / drive area.
- The maximum building height shall not exceed 35'. The tallest building is 27'3", thereby the building height is in conformity with the City's requirement.

## 2. Design

The applicant has submitted floor plans and elevations of each building. Buildings #1 and #3 contain twelve (12) two-bedroom units each, Building #2 contains eight (8) two-bedroom units, while the six (6) four-plex buildings and three (3) tri-plex buildings all contain three-bedroom condo style units. The two-bedroom units are 935 square feet and contain two bathrooms. The three-bedroom units are in a townhome style containing 1,206 square feet with a private front and back porch entrances and individual interior stairs. Each townhome has one bedroom and a half bathroom on the first floor and two bedrooms and two bathrooms on the second floor. The managers unit is 1,309 square feet and is located above the Community Center and contains three bedrooms with two bathrooms.

Each housing units has an enclosed patio space, that includes useable open space plus an enclosed storage area to the side. Each housing unit in Buildings #1, #2, and #3 includes approximately 9' wide x 5 ½' deep usable balcony area, which equates to 52¼ square feet, and additional space for a water heater room and a storage room. Each four-plex and triplex unit includes two porches; a rear porch that faces the parking area which would be enclosed by a short impermeable wall and a front porch (which is not fenced off) which is primarily for aesthetic purposes, not storage of items, along the public streets. The enclosed patio space is approximately 3½'x12½' equating to 43.75 square feet while the streetside porch is approximately 6'x3' equating to 18 square feet for a total of 61.75 square feet. The wall for the enclosed porch should be moved out to be in line with the outside of the individual storage room walls. The manager's unit includes approximately 12½ x 5½ square foot useable deck, equating to 68.75 square feet of space. The Zoning Ordinance requires that each unit have a minimum of fifty-four (54) square foot of private patio or balcony that is at least six feet in width, therefore, the floor plans will need to delineate the dimensions and may have to increase the size slightly if they do not meet these requirements, as it is difficult to scale accurately from the site plan.

Porches facing onto D Street have been designed with the intent of not having tenants store anything on them and were created to provide a more aesthetically pleasing streetscape. Some of the elevations show "metal guardrails" on the enclosed balcony and patio areas. In other complexes throughout the community this has been problematic as it exposes the community to viewing items that people store on their patios that may be unsightly. During preliminary site plan review, all city staff agreed that there should not be exposed patios or balconies. Therefore, all private patios and balconies should be changed out to a solid material across them to compliment the building architecture so that tenant's items are shielded from the view.

Only buildings 1, 2 and 3 have apartment entrances to the units through central breezeways which contain two staircases within one breezeway in the eight-plex and four staircases within the two breezeways in the twelve-plex buildings to access second floor units.

The overall layout of the site tries to provide an interesting streetscape by providing building articulation and a 4' wrought iron fencing along D, Smith, and Oleander streets. The distance across the project along D Street is approximately 950'. Each building has stucco detailing and a mixture of three colors incorporated into the palette and concrete tile roofs. Staff recommends that a second color palette be added to provide more aesthetic variety to the streetscape as

approved by the Planning Director; this could include building colors and roof colors similar to Coker Ellsworth's condo project on the golf course. Additionally, staff recommends that four of the four-plex elevations change the two side wing features from a hip style roof to a gable style to provide additional variety, as shown on the redlined color drawing.

No carport elevations are included in the drawings but the Conceptual Landscape Plan shows the roof dimensions. Staff has asked that the covered carport areas incorporate a pitched composition roof system that would be a complementary color to the apartment building roofs, so that the adjacent residential properties have a more appealing view into the complex. Therefore, the Planning Director should be allowed to coordinate final approval of the carport design prior to issuing building permits and included in the construction drawings.

The recreation building architecture includes stucco, lap siding, and building articulations. In reviewing the floor plan for this building, staff recommends adding four new interior windows to add visibility into community areas from the offices to reduce possible future vandalism or crime problems as shown on the redlined drawing. Two of the windows would be added to Office #1 to view the laundry room and computer room, one window would be added to Office #2 to view the computer room, and one window would be added to the entry area into the fitness center. Additionally, an exterior door should be added to the laundry room to provide a second exiting point out of the laundry room.

### 3. Ingress / Egress, Internal Circulation, Traffic and Right-of-Way:

Ingress and egress into the project site will be from the proposed D Street and Oleander Avenue with an emergency gate on the east end of the complex along D Street for City trash pickup only.

According to the Institute of Transportation Engineers' 6<sup>th</sup> edition Trip Generation book, Land Use #220 Apartments, the maximum number of average daily trips (ADT) generated by the project would be 428 per day over a weekly average, which is split between the two entrances. The highest peak hour traffic volume from the project would be experienced in the weekday evenings at 43 cars during the peak hour split between the entrances (see attached traffic analysis table). It is anticipated that at least two-thirds (2/3) of the cars will use East D Street to get to the complex, which is a City designated arterial roadway, with the remaining one-third (1/3) utilizing Oleander Avenue.

As of February 2007, the ADT for East D Street was 1,138 trips with 161 trips in the peak hour. With the currently approved projects, anticipated future projects, and the Oleander Terrace Project (shown on the attached color aerial map), the traffic on East D Street is anticipated to be at 6,107 cars per day, with 549 trips during the peak period. The proposed Oleander Terrace project will constitute approximately 10.84% of the current plus approved project estimated traffic and 4.67% of the total future anticipated traffic on East D Street. The Level of Service (LOS) along East D Street, with all existing and projected projects, will be "C" for the existing two travel-lane roadway, thereby being in conformity with the general plan's standard of LOS "D" between Bush Street and Lemoore Avenue.

It appears that 84' of right-of-way exist (ROW) along the project on D Street. However, if 42' of ROW does not exist along the southerly half of East D along the project site, it will need to be offered for dedication to the City. Additionally, no public utility easement (PUE) exists, and a 10' PUE will need to be offered along East D Street through an "Offer of Easement" or Parcel Map.

No traffic count data exists on Oleander Avenue as it is a local street. Therefore, in order to understand the impact of the project on future traffic patterns, staff analyzed existing, proposed and anticipated projects in the area bounded by East D Street, Lemoore Avenue, Bush Street, and the D/Bush intersection (see the pink outlined area in the attached color aerial map). Staff looked at all the housing in this area then subtracted out units that directly front onto the arterial

streets and added future residential and commercial projects. It was anticipated that only 5% of the future "Mixed" use at D and Bush Streets might utilize Oleander Avenue. Based on the projections, Oleander Avenue (once it is constructed out to East D Street) is anticipated to carry a maximum of 496 cars per day, with 50 trips during the peak period. The project will constitute approximately 36.97% of the current traffic on Oleander Avenue and 28.76% of the future estimated traffic. No Level of Service standards exist for local streets, however the current General Plan states that a local street should not exceed more than 500 ADT (pg. 103 of the Circulation Element) and the proposed new general plan shows the threshold at 1,100 ADT. Therefore, the project and future traffic is in conformity with the existing and proposed General Plans. Traffic down Smith Avenue would be much smaller than Oleander, therefore not exceeding the maximum daily average just referenced thereby being in conformity with the General Plan.

It appears that 40'-50' of right-of-way (ROW) exists along Smith Avenue and 40'-50' of ROW exists along Oleander Avenue east and west of Smith Avenue. It appears that 10' of ROW will need to be dedicated along both Smith and Oleander Avenues so that 30' of ROW will exist from the street centerline to the project site. The radius along Smith and D will need to be dedicated to accommodate a 30' curb radius while the along Smith and Oleander will need to accommodate a 20' curb radius. Oleander Avenue, just west of Smith Avenue appears to have only 30' of asphalt from curb face to curb face, and therefore the street along the project should be constructed to keep the same curb and gutter alignment of the adjacent neighborhood. This would also protect front yards of existing residential homes to the east of the project. A 10' wide public utility easement (PUE) will need to be offered along both Smith and Oleander Avenues along the project site through an "Offer of Easement" or the recordation of a Parcel Map.

In order to adequately verify that correct ROWs are in place, a record or survey map or a Parcel Map should be filed showing adjacent map references and adjacent ROWs.

The project site is located over two legally separate parcels. In order to protect the future operations of the complex to always function as one, either a Parcel Map Merger will need to be processed or a "Covenant to Hold as One" recorded on the property to insure that the properties will never be sold independently of one another prior to building permits being pulled. City staff prefers the use of a Parcel Map Merger process in this case because the project has many dedications and easements that are needed and a recorded Parcel map will identify all these items on one map which is cleaner in the long run for all parties involved. This would require that the applicant go through the Parcel map process and associated fees prior to pulling building permits.

Various striping will be needed around the project to assist with vehicular and pedestrian access. A center turn lane will most likely need to be striped in D Street to allow left turns into the complex and Smith Avenue. A crosswalk will be needed across Smith Avenue east to west just south of D Street and possibly north-south across D Street to get to the future bus stop on the NE corner of D Street and Smith Avenue. The project will be responsible for building out abutting streets to City Standards, which may include paveout, curb, gutter, sidewalks and landscape areas.

#### 4. Parking:

Under Section 9-12-3-1 of the Zoning Ordinance; multi-family dwellings require 2 parking spaces for every 2-bedroom or 3-bedroom units, where one of the required parking spaces must be covered. The project proposes 66 units thereby requiring 132 parking spaces. Under the American Disability Act (ADA) at least 5 of the total parking spaces must be ADA compliant. The applicant proposes 127 regular parking spaces and 5 ADA accessible parking spaces for a total of 132 parking spaces. Sixty-eight (68) of these units are proposed to have covered parking to meet the requirements of the Zoning Ordinance. All ramps and pedestrian / wheel chair crosswalks within the development will need to be properly identified both on the plans and on

the ground and will need to be approved by the Department of Public Works and comply with the Americans with Disabilities Act.

The project is providing three areas for bike racks which are visible and accessible locations. Based on the location and size of the complex there should be enough bike racks to accommodate a total of 33 bicycles within close proximity to the residential units. The bike racks should be of such design as to hold the bicycle frame (not just the wheel), and should accommodate a u-shaped shackle lock, a wide range of cycle sizes, wheel sizes and types, and should be covered with a protective material to avoid damaging the bicycle. Some of this could be provided in the storage closets of the units on the ground floor if a rack system is in place in the closet.

#### 5. Landscape, Open Space and Sidewalks:

The existing site contains three large eucalyptus trees, one mature olive tree, two large Oleander bushes and a small old fruit tree. The eucalyptus trees are approximately 77' from the easterly property line closest to the existing homes. The southerly most tree looks to be in poor health while the two northerly ones look like they are in good condition. The olive tree looks as though it could be saved with heavy pruning and incorporated into the site plan based on where the tree is located. The applicant proposes to eliminate all existing vegetation on site. Staff recommends that at least 30 gallon eucalyptus trees be planted between buildings 1, 2, and 3 and the Olive tree be retained to recreate some of the original neighborhood character.

The City's Zoning Ordinance Section 9-7-C-7H requires a minimum of 35% of multi-family sites to be landscaped. The 4.9 acre site would require 74,705 square feet (1.715 acres) of landscaping of which the proposed site provides for 104,000 square feet of landscape space according to the Site Plan Review application. This equates to 48% of the multi-family site, which meets the City's standards.

Regarding the landscape/streetscape along City streets, Section 8-7E-5 of the Lemoore Municipal Code requires that all new residential subdivisions shall have parkway-type sidewalks along public streets, with landscaping between the sidewalk and curb (usually referred to as the "parkway"). In developed residential areas the code also requires parkway-type sidewalks unless the parcels on either side have monolithic sidewalks. Where an adjacent-type sidewalk exists on adjoining land, a gradual transition from the monolithic-type sidewalks to a parkway-type sidewalk shall be provided. A parkway, as defined in Section 8-7-A-4, provides a landscaped strip between the curb and sidewalk. Trees that are planted in the parkway are spaced on an average of 40' on center and incorporate trees from the City's Street Tree List. Ground cover in the parkway is a solid ground cover, usually turf but could be another type of solid plant material.

The proposed site plan is different from the landscape plan, and needs to be consistent and reflected in the construction plans. Parkway style sidewalks are proposed by the applicant along D Street, however the ground is proposed to be covered with bark in both the parkway and landscape easement, the sidewalk appears to be 5' in width and the landscape easement area does not show trees any trees ground cover or shrubs, which are required by City codes and standards. The landscape plan will need to be revised to include a solid ground cover in both the parkway areas and landscape easement areas and the sidewalk will need to be increased to 6' wide along East D Street and approved by the Planning Director prior to pulling building permits. Trees in the parkway will need to be planted every 40' average on center, followed by the meandering 6' sidewalk, and the landscape easement area.

Along arterial and collector streets Section 9-3-8C2 requires that 6' sidewalks be provided in addition to a 10' wide "landscape easement", which is located behind the right-of-way, to provide a desired "buffer" between residential uses and roads which have large volumes of vehicular traffic. Apartment complexes also require "buffer" areas around the perimeter of the site which abuts areas zoned R or RA. Both of these "buffer" areas should be comprised of trees, planted at a maximum of twenty feet (20') between their centers, and shrubs, subject to the standards in

Section 9-7C-7H.2. Landscape easements areas require that the “landscape” shall include trees, shrubs and ground cover, usually grass along apartments and shrubs if a block wall is behind the easement.

Monolithic sidewalks are proposed along Smith and Oleander Avenues. Based on the character of the neighborhood and the above City requirements for parkway style sidewalks, the streetscape should be modified to a parkway style along Smith and Oleander to include a 5' parkway, 4.5' sidewalk and then the landscape area behind the property line. Trees planted closest to the street shall be planted at 40' on-center within the parkway area from the City's Street Tree List and meet City Standards. Additionally, deep root watering pipes should be installed to irrigate all trees on the project site to discourage roots from growing to the surface. Once built, the project will be responsible for appropriately maintaining all landscaping and sidewalks within and abutting their site.

The Zoning Ordinance requires that a minimum of one tot lot shall be required for every forty (40) dwelling units and be a minimum of 750 square feet in area and such lots shall be surrounded by an open, smooth-surfaced fence.

Recreational activities in the complex include a tot lot and recreation building with a fitness room, computer room, laundry facility; pool, spa (according to the application but not visible on the plans), and two barbecues with tables. When scaling the drawing from the Conceptual Landscape Plan, the tot lot area appears to be a square block of about 1,575 square feet, rather than a curved area shown in the overall site plan, with a 545 square foot tot lot structure surrounded by a fence. Four park benches are located outside the play area with two shade trees. Staff recommends that the fenced area be enlarged so that the park benches can be accommodated within the play area so parents can more easily attend to a child. Tot lot structure should also incorporate at least five activities and be approved by the Planning Director prior to pulling building permits.

The landscape plan shows parallel sidewalks along D Street, Smith Avenue and Oleander Avenue which installs too much hardscape and takes away from the setbacks of the complex. Therefore, staff recommends eliminating the interior parallel sidewalks as shown on the Redlined Landscape Plan. Additionally, pedestrian gates and sidewalk entrances need to be added in the fencing to encourage walkability as shown on the redlined drawing in orange highlighting.

## 6. Fences and Walls:

The applicant proposed to construct a 7' masonry block wall along their boundaries adjacent to single family residences located to the southeast of their site as shown on the Site Plan drawing. However, a block wall is not needed or recommended on the easterly most portion of the site as it abuts commercial designated property which may be changed to Medium Density Residential under the new General Plan as shown on the redlined landscape plan. Section 9-7C-8B of the Zoning Ordinance requires “ the owner of any parcel or lot in the RM (Multi-Family Residential) District shall, subject to subsection A of this Section, erect and maintain a masonry wall at least seven feet (7') in height, as measured from the highest adjoining natural grade, on all portions of any property line or lot line that constitutes the boundary line between said RM (Multi-Family Residential) District and any of the R1 (One-Family Residential) Districts....Subject walls shall be capped by a projecting layer of blocks or bricks and be light brown in color. The design of the wall shall be reviewed and approved by the Community Development Department. Two (2) weeks prior to the construction of the block wall, adjoining property owners shall be given written notice of this construction activity so, at their option, they may take down their fence to enable the block wall to be finished on their side of the wall.” A block wall design has not been submitted, therefore, the block wall design should be required to be submitted for approval by the Planning Director in conformity with the provision of Section 9-7C-8B of the Lemoore Municipal Code prior to building permits being pulled and adjoining property owners should be properly notified.

A 4' tall wrought iron fence is proposed along the front of the complex which faces D Street, Smith Avenue and Oleander Avenue. Staff does not feel that fencing is needed along Oleander Avenue and  $\frac{3}{4}$  of Smith Avenue north of Oleander as it will be contrary to the open feel of the existing neighborhood and may be removed which will also better accommodate a single sidewalk down these streets to access the complex and allow for more green space. During preliminary site plan review, City staff agreed that additional pedestrian access needed to be provided from the City streets into the complex in addition to the two regular vehicle entrances into the complex. Two pedestrian gates should be provided along D Street and one along Smith Avenue in the center of the complex (if fencing is to remain in place). Because the complex fronts onto a major entrance into the City, staff suggests a maintenance-free vinyl picket fence be placed around the project exterior or that the wrought iron fence be powder coated to blend into the backdrop as approved by the Planning Director and may be determined after the buildings are constructed.

Wrought iron fencing is also proposed around the community pool and spa and tot lot areas. According to the Kings County Environmental Health Services department, a chain link fence will not be allowed as children can climb them. Requirements include fencing that is 5' in height with tightly spaced vertical bar type elements so that children's heads will not get caught. A 5' wrought iron fence would fall under these requirements of the County. Construction plan sets will need to be reviewed by the Kings County Environmental Health Department prior to issuing building permits.

#### 7. Onsite Lighting:

The Zoning Ordinance requires that all lighting adjacent to single family neighborhoods be installed not to glare onto the adjacent properties. The proposed site plan identifies forty-one (41) low pressure sodium pole mounted site light in the parking lot area and at the entrances (spaced every 50'). It is also assumed that additional lighting may be mounted beneath the parking structures but is not delineated on the site plan. In order to protect adjacent residents, exterior lighting should be placed in such a manner with limited intensity as to not produce excessive lighting or glare to adjacent residentially zoned properties so as to constitute a nuisance. Exterior lighting should meet all the requirements per the Building Department.

Building mounted lighting should be integrated into the architectural design of the buildings and also not glare onto adjacent properties.

#### 8. Public Utilities ( storm water / water / sewer/ power poles / street lights / fire hydrants / fire sprinklers / refuse)

The development will need to appropriately tie into all City utilities and streets meeting City Public Works Standards. The nearest City storm water basin is located north of the Fleet Reserve. The site will need to be graded so that it does not shed water onto adjacent properties. Due to the distance to the site being far away from the site, the applicant will need to verify grades for sanitary sewer and storm water to appropriately tie into the system, which may or may not require a lift station. City water lines exist within D Street, Smith Avenue, and Oleander Avenue and the project will need to be appropriately tied into the City system. Sewer is currently located in part of Oleander and Smith Avenue however grades will again need to be verified to make sure that a lift station is or is not needed.

According to the City's GIS, only three existing street lights exist along the project site; one at the corner of D Street and Smith Avenue, one on Smith Avenue half way between D Street and Oleander Avenue, and one at the southeast corner of Smith and Oleander Avenues. However, two of these lights are located on above ground power poles which will need to be removed and therefore cannot be used as part of the project. The site plan does not identify street lights but will be required every 165' along D Street and every 250' along Smith and Oleander Avenue to meet City Standards. Based on City Standards, it appears that 9 street lights will need to be installed with the project as generally shown on the redlined site plan. All street lights will be

required to meet City standards as approved by the Department of Public Works but should be located close to intersections or driveways.

Above ground power poles exist along the site adjacent to Smith Street and will need to be eliminated and/or under-grounded, depending on if they provide existing service, and coordinated with adjacent property owners along the street. Many of the utility lines connect to individual homes on the west side of Smith Avenue.

The site plan proposes three fire hydrants within the development which has been deemed adequate by the Fire Department. All buildings over 5,000 square feet are required to have sprinklers which will impact all buildings with the exception of the triplex and Community Building. Fire Department Connections (FDC) for each structure and will be inspected for compliance by the Fire Marshall. The applicant proposes to disguise the pipes and FDC within the utility rooms of each applicable building so that they are not visible to the public. Therefore, the Fire Department requires that all electrical rooms be keyed a-like and the Department supplied with keys. Additionally, the Fire Department has requested that a Knox box be located by the leasing office with key for office and all electrical rooms. All utilities located on the project site should be screened from the general view of the public and/or painted to blend in with adjacent objects.

Trash enclosures are proposed in five sections of the complex. Each enclosure is proposed to house two large trash bins and one recycle bin. Enclosures shall be per City standards, however upgraded gates should be installed to be a solid metal material painted to match a tan colored block that will blend in with the 7' masonry block wall and color palette of the complex.

Impact fees will need to be charged so that impacts to all City utilities, including streets, can be appropriately mitigated in accordance with the findings of City Council Resolutions: 2006-46 adopted on December 5, 2006; 2006-48 and 2006-49 adopted on December 19, 2006; 2007-01 adopted on January 16, 2007; 2007-04 adopted on February 20, 2007 and the Colgan Consulting Corporation Development Impact Fee Study Report.

#### 9. Signs:

A conceptual monument sign is shown on the site plan submittal at each of the drive entrances to the complex. However, a separate application with the colors and administrative approval process will be required before any signage is put in place for the project. Any corner signage must be located outside the visual triangle outlined in Chapter 14 of the Zoning Ordinance and ensure that it will not impair adequate visibility along D Street.

#### 10. Dust Control:

Soil disruption during construction can cause significant fugitive dust, which is a major contributor to the current air quality problems in the region. The developer will need to comply with the San Joaquin Valley Air Pollution Control District standards and the City of Lemoore dust control requirements.

### **D. Public Input:**

Because the project includes a Zone Change and a site plan for multi-family containing more than four dwelling units, the Planning Commission is required to hold a public hearing and make a recommendation to the City Council. The Council is then required to reviewing the Planning Commission's recommendations, hold a public hearing and make a final determination on the project. A notice was published in the Lemoore Advance on October 11, 2007 and notices were sent out to property owners within 300' of the project site to their mailing address of record, as kept by the Kings County Assessor's office (a map of the radius is included for reference) on

October 4, 2007. These notices do not include notification to renters within this radius. To date no comments have been received.

**E. Comments form Other Agencies/Departments:**

Referrals were made to various agencies and City Departments. Comments were received from the City Engineer, Public Works Director, and the Lemoore Fire Chief and their comments have been incorporated in this report and conditions.

**F. Environmental Impact:**

A preliminary environmental impact assessment of the project was conducted by the staff in accordance with California Environmental Quality Act and is included in the staff report. It is determined that the project could not have any significant adverse impacts on the environment if certain mitigation measures, incorporated in the conditions of approval, are added to the project. The Commission should recommend that the City Council adopt a Mitigated Negative Declaration for the project pursuant to California Environmental Quality Act

**G. Recommendation:**

- The Planning Commission should open the public hearing to listen to the staff report then take comments from the applicant and the general public.
- The Planning Commission should approve the attached Resolution 2007-22 recommending that the City Council approve a mitigated negative declaration under the California Environmental Quality Act, approve Zone Change 2007-01 and approved Site Plan Review 2006-20 with the conditions stated therein with the expiration date being two years from Council's approval.