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**Planning
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STAFF REPORT

Item # 5

To: Lemoore Planning Commission
From: G. Hobbs, Assistant Planner /H. Smyth, Planning Director
Review Date: April 28, 2008
Subject: Categorical Exemption #2008-04 / Tentative Parcel Map #2008-02
(incorporating a boundary line adjustment) for Pankaj “Joe” Mowji

A. General Information:

1. Applicant / Owners: Pankaj “Joe” Mowji
1163 Pinnacle Drive
Merced, California 95348
(209) 725-0434

- Engineer/Surveyor: Jim Hansen
Zumwalt-Hansen, Inc.
609 N. Irwin Street
Hanford, California 93230
(559) 582-1056

3. Location: Northwest corner of 19th Avenue and
State Highway 198

4. Property Description: Assessor Parcel #023-310-010 and
(Boundary line adjustment between APN
#023-310-008 and 023-310-009)

5. Site Area: 2.28 acres being subdivided
2.83 acres involved in lot adjustment

6. Existing General Plan Designations: Highway Commercial

7. Proposed General Plan 2030 Update: Regional Commercial

8. Existing Zone District: CH(Commercial Highway)

9. Existing Use: Vacant, Undeveloped Land

10. Proposed Application: Subdivide into 2 parcels
and adjust boundary line between two others

PLANNING COMMISSIONERS

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

B. Plan Location & Description:

The subject site is located on the northwest corner of 19th Avenue and Iona Avenue adjacent to State Highway 198 described as Assessor Parcel 023-210-010 for the parcel split and parcels 023-310-008 and 023-310-009 for the boundary line adjustment.

The parcel to be divided is a 2.28 acre vacant parcel. The applicant proposes to divide the vacant parcel into two (2) separate parcels and provide permanent cross-access and cross-parking easements to meet the Planning Commissions Condition #2 of the Site Plan #2007—06. The approval for the proposed retail project is to be constructed on Parcel 2 of this tentative map with no currently approved site plan over Parcel 1. Parcel 1 is proposed to have 0.97 acres and Parcel 2 will be 1.31 acres.

Condition #2 states “Prior to the issuance of a building permit, the Boundary Line Adjustment shall be submitted and all public utility cross-access/cross utility/cross parking, or landscape easements discussed in the staff report shall be submitted in a format approved by the City Engineer, accepted by the City Council and recorded. When the “future development” project is submitted for the area, a Parcel Map will need to be filed with the application and permanent cross-access will need to be provided.

The tentative parcel map incorporates the boundary line adjustment between Parcels 1 and 3 of Parcel Map 15-61 for the trash enclosure and a portion of the parking area as per Condition #2 of Site Plan #2007-06. The boundary line adjustment is being made so that the Holiday Inn building, to be located on Parcel 3 of Parcel Map 15-61, will own the area that the trash bin is located on and a cross access easement placed over the site so that City trash trucks may pick up from the Motel 6 site. The Motel 6 site then proposes to build a new trash enclosure area to the north side of the existing hotel for their use. The area where the boundary line adjustment is proposed is described as Assessors Parcel #023-310-008 and #023-310-009.

C. Project Review (Parcel Map and Boundary Line Adjustment):

The Tentative Parcel Map application is reviewed to determine its compliance with the State Map Act, Lemoore Subdivision and Zoning Ordinances, as well as City Policies and Standards. Additionally, The State Map Act limits the City review of a boundary line adjustment proposal to a determination that the parcels, after adjusting their boundaries, will continue to meet City Zoning and Building Code. The following findings are made:

1. Zoning/General Plan:

The site is designated *Highway Commercial* in the current Lemoore General Plan, and designated *Regional Commercial* in the proposed 2030 General Plan. It is presently zoned CH (*Commercial Highway*). The *Commercial Highway* zone is designed to provide service for the convenience of patrons traveling the highway. Hotels, restaurants, retail stores and other service establishments are allowed under this zoning as per Section: 9-9C-2 of the Zoning Ordinance. *Regional Commercial* designation is intended for large-scale commercial uses that serve local and regional needs. Sites are easily accessible by freeways and may contain a variety of goods and services, such as large-format retail, department stores, eating and drinking establishments, hotels, and motels. The approved Site Plan uses are within the allowable uses of the land use and zoning districts.

The CH zone district does not have a minimum site area, minimum frontage, width or depth, nor coverage limitations. Minimum front yard requirement is 15', while the rear and side yards have no requirements. The adjusted lot lines and lot creations when compared to the

approved Site Plan meets these City requirements. No site plan has been approved on proposed new Parcel 1 and therefore conforms to City requirements.

2. Ingress/Egress:

Ingress/egress to these parcels is from 19th Avenue via the existing Sierra Circle in the near term. Once the 19th Avenue interchange is complete, Sierra Circle access will come off the private street off of Iona Avenue. The notation should be added to the Final Map.

3. Site Conditions and Dedications:

Iona Avenue is a designated a local street with a 60' right-of-way west of 19th Avenue and a designated arterial east of 19th Avenue with an 80' right-of-way. Near term access will be from 19th Avenue via Sierra Circle, a 60' wide local street, and a private north-south street of 45' off of Iona Avenue. The east-west Sierra Circle will no longer access 19th Avenue once the 19th Avenue interchange at State Highway 198 is built, leaving access via the private street and should be delineated as such on the Final Parcel Map.

Access to Parcel 1 will need to be given across Parcel 2 to provide adequate access. According to Site Plan 2007-06 approval, a blanket cross access, cross parking, cross maintenance and cross utility easements will need to be recorded over the entire Final Map to retain adequate access between all 5 of the parcels delineated as well maintain the new private road as generally shown on the redlined drawing.

The area delineated as "Future ROW per Caltrans" along the entire frontage of 19th Avenue has already been dedicated to the City of Lemoore through Irrevocable Offers of Dedication recorded April 2, 2007 with an "Acknowledgement" versus an "Acceptance" through Kings County Clerk Recorder Documents #0708971 and #0708970. This was done in order to have the guaranteed right-of-way when the City needs it to turn over the area to Caltrans while having the property owner maintain the property and ownership until needed. These references and line delineations need to be appropriately shown and referenced on the Final Parcel Map across all involved parcels. Additionally with the approval of Site Plan Review #2007-06, new 10' public utility easements were to be delineated behind the future Caltrans right-of-way and needs to be offered with the Final Map.

The future Caltrans interchange footprint also requires additional right-of-way dedication along State Highway 198 and will need to be dedicated with the Final Parcel Map as generally shown on the Tentative Parcel Map, in agreement with the City Engineer and Caltrans.

D. Environmental Assessment:

The division of land into four or fewer parcels is categorically exempt from California Environmental Quality Act (CEQA) as per Section 15315 of the State Guidelines and boundary line adjustments are exempt under Section 15305. Therefore, the Commission should find this project categorically exempt from CEQA.

E. Recommendation:

The Planning Commission should approve the attached Resolution No.2008-12 finding that this parcel map and boundary line adjustment are Categorical Exempt and approving the Tentative Parcel Map #2008-02 including the boundary line adjustment as shown on the redlined map with the conditions included therein.