

**Minutes of the Regular Meeting of the
Lemoore Planning Commission
October 27, 2008**

Chairperson Kendall called the meeting to order at 7:00 p.m.

Attendance: Commissioners Ormonde, Clement, Norgaard, Elgin, Marvin, Meade, Kendall, and Planning Director Smyth.

Absent: None

Public Comments and Inquiries: There was none.

Chairperson Kendall presented Gloria Hobbs with a Proclamation for her 20 years of service with the City of Lemoore.

Approval of Minutes of Meeting of July 28, 2008:

It was moved by Commissioner Meade, seconded by Commissioner Norgaard to approve the minutes of October 13, 2008 as submitted.

AYES: Meade, Norgaard, Marvin, Ormonde, Elgin
NOES: None
ABSTAIN: Clement, Kendall
ABSENT: None

Continuation of Public Hearing for Conditional Use Permit #2008-08 / Site Plan Review 2008-07 / Environmental Impact Assessment #2008-20 applications by Robert Giannini for Saint Peter's Church

Commissioner Kendall stated that because of a conflict of interest; she owns a home within 300 feet; she would abstain from this item. Vice-Chairperson Elgin continued the meeting.

Commissioner Clement stated that he would also abstain due to conflict of interest. He stated that he has been on the Church planning committee for 13 years.

Commissioner Ormonde stated that he would be able to stay. City Manager Jeff Britz stated that because Commissioner Ormonde abstained from the last meeting he would have to abstain from the entire project. Commissioner Ormonde abstained.

Planning Director Smyth stated that two weeks ago the public hearing opened and the Saint Peter's project team asked for a continuation of the public hearing to this evening's meeting for the project to allow more time to digest the conditions of approval. The Planning Commission granted the continuation of the public hearing to the October 27, 2008 meeting date.

Smyth stated that staff met with the project team to discuss some areas of concern and some possible alternatives that the Planning Commission should consider that are incorporated in to the draft resolution. Smyth stated that the project team also revised their Site Plan and incorporated most of the redlined City standards so that it may be adopted as depicted. She stated that the revised plan has redesigned the MIQ parking area to adequately protect children being dropped off at the site and re-oriens some of the parking so that this condition has been modified.

Smyth stated that in regards to the setbacks, a lot line adjustment should be able to effectively merge the parcel lines between the two parcels on the southerly half of the property and be a viable legal option. She stated that condition #2 has been modified to allow a lot line adjustment or parcel map.

She stated that staff felt that a parcel map would be simpler but explained that the church has requested the lot line adjustment option, so both options are incorporated in the resolution.

Commissioner Elgin continued the Public Hearing at 7:15 p.m.

Applicant Robert Giannini architect for the Church stated that they have reviewed the conditions and are in agreement with them.

Commissioner Elgin asked if there was anyone wanting to speak for the project, there was no reply. Elgin asked if anyone wanted to speak against the project, again there was no reply. Elgin closed the public hearing at 7:30 p.m. Commissioner Elgin asked the Commissioners if they had any questions or clarifications.

Commissioner Meade asked for clarification regarding the bike path. He mentioned that the bike path was going to go down Club Drive and a second path through the Church parking lot connecting with bike/walk path to reach Heritage Park in the future. Planning Director Smyth mentioned that the bike path in the revised resolution on the south side of the church would not be a designated path and would be a passive pathway which would retain the connectivity; it's just no longer a specially designed path.

Commissioner Marvin stated that he thought that the bikeway was required. Planning Director Smyth stated that the bikeway is required through the General Plan as a future bikeway. However, staff is concerned in making sure that Lemoore Avenue had the wider sidewalks and parkway along the entire MIQ and church parcels because the High School students use that section more heavily. Planning Director Smyth stated that it is Commission's purview. She said that if they believe that the passive use of the parking lot serves the same General Plan purpose of a bike path through the area it's the Planning Commission's discretion. Marvin asked if the Church was in agreement. Applicant Giannini replied yes.

Commissioner Meade stated that he thought it would be a benefit to the students; children to travel the path of least amount of resistance and the least amount of steps.

In response to Commissioner Marvin's question regarding the total cost of the project being made public, Douglas DuRivage, construction and property manager for the Diocese of Fresno, stated that the total cost of the project is right around \$8 million.

Monsignor John Coelho Harguindeguy, Pastor of St. Peter's parish stated that as far as he knew they were not selling the old church. They would like to work with City Departments to turn the building into a community center, serving Lemoore High School students along with the youth of the church, with a meeting hall, youth center and study hall.

Commissioner Meade asked if funerals and large gatherings were taken into consideration for the parking at the project site. Smyth stated that when the traffic consultant did the study the peak was on Sundays. She stated that the church tends to schedule these types of events to avoid peak traffic times as they currently do.

Commissioner Elgin stated that she had never seen a map that has all the developments together and asked if the children would also be crossing the Fresh and Easy parking lot which she is assuming will also be opened. Planning Director Smyth stated that pedestrians and bicyclists could also be using Fresh and Easy's parking lot as well as Rite Aids. She pointed out that AutoZone's driveway would line up directly east/west where it comes out to the new north/south street driveway.

Commissioner Norgaard stated that there has been a lot of hard work put into this and it is a financial commitment and he commended Planning Director Smyth for taking a good look at the plans and appreciated that she and church could work together.

Commissioner Elgin asked the applicant why they did not want to do a Parcel Map. She stated that it would be much cleaner and easier for someone years down the road if a Parcel Map recorded with all easements, details and information in one document.

Douglas DuRivage explained that it was not just fees and costs to the City and their engineer; but the time it takes to process. He stated that it would take two Parcel Maps because they were working with two parcels. MIQ property is one greater parcel made up of two parcels and the property that the church is on is one greater parcel made up of two parcels and each greater parcel is owned by two separate entities.

Commissioner Elgin stated that she had a hard time with the lot line adjustment because of a prior situation that she knew of that allowed the project to go forward prior to recording the lot line adjustment and it took two years to get recorded. Planning Director Smyth stated that boundary line adjustment has the effect of reducing the number of Parcels.

Commissioner Marvin asked if there would be a fence on the east side of the project. Planning Director Smyth stated that currently a portion of the east is fenced to provide separation from the single family residences adjacent to the site.

It was moved by Commissioner Norgaard, seconded by Commissioner Meade to approve Resolution #2008-09 granting Mitigated Negative Declaration #2008-20, Conditional Use Permit #2008-08 and Site Plan Review 2008-07 applications by Robert Giannini for Saint Peter's Church with conditions therein.

AYES: Norgaard, Meade, Marvin, Elgin
NOES: None
ABSTAIN: Ormonde, Clement, Kendall
ABSENT: None

Planning Director's Report:

Planning Director Smyth reviewed the activity report that is now being included in packets and thanked Commissioner Marvin for sharing information from the Fresno Bee on foreclosures. She mentioned that City Council adopted a Resolution about two meetings ago for houses that are abandoned, with banks still responsible for the upkeep of the home. Therefore the resolution requires banks of foreclosed properties to register when they do have an abandoned house so that it is easier for the City to keep track of.

Planning Director Smyth noted that some of the Administrative Reviews that were recently or almost approved include offices in the interior of the Leprino East plant, Lucy Munoz project on "D" Street converting the little house and adding on to the front to be ADA compliant for a hair salon, and Al's Barbecue mobile food vendor adjacent to Best Buy Market.

Smyth stated that upcoming projects include the Leprino warehouse addition and the Candlewood Suites Final Parcel Map project to be taken to City Council. Staff met with Wal-Mart last week and was hoping to release a Draft EIR this month, but the project team wants to update the traffic study as conditions have radically changed as far as projects moving forward on the west side. Smyth stated that staff went down to Long Beach to receive an award for the Antlers Hotel renovation from the Historic Preservation Foundation.

Smyth noted that possibly we would not have any meetings in the month of November.

Commission's Report and Request for Information:

Commissioner Marvin requested that Planning Commission receive a report that gives the status of on going projects and also the status of the project on 'D' and Smith Street.

Planning Director Smyth stated that staff will include a report on subdivisions and will also include a copy of the Building Department permit report in the next Activity update. She stated that the Smith & 'D' project is going into foreclosure.

Commissioner Clement mentioned that Planning Commission had received them at one time and asked that all Commissioners receive the updates.

Commissioner Marvin asked how closely did the Planning Commission or City going to keep track of the homes going back to the banks. Smyth stated that Code Enforcement keeps track of some of these items when they become problematic.

Commissioner Elgin stated that a few months ago Council had put together something that had banks list the foreclosed homes and questioned if the Planning Director had heard how that was working. Planning Director Smyth stated that she had not heard, but would ask Judy Holwell the Redevelopment Project Manager.

Commissioner Meade stated that he and Commissioner Marvin had just attended the Land Use Conference and one of the sessions was regarding the use of RDA money in terms of foreclosures, and those funds are being applied to low income that was being explored by some communities. He stated that he did not know the percentage of foreclosures there were, but would be interested to know what percentage of foreclosures are in RDA areas. He also requested from the Planning Director a proposed subdivision map and the status of subdivisions and also a copy of Building Departments permit report.

Commissioner Marvin asked if the Planning Commission would be out of order to ask City Council to discuss the RDA monies to address foreclosure housing issues. Planning Director Smyth stated that she would talk to both Judy Holwell and Jeff Britz to see if it could be put on a study session. Commissioner Elgin asked if there was a way to know if any of the foreclosures were low moderate income housing units. Planning Director Smyth stated that there would not be a way unless you were directly involved.

Commissioner Norgaard stated that the subdivision on Smith and 'D' was high density and that the Planning Commission bent over backwards to give the density that was given and the applicant came back wanting an even higher density because they were upside down and falling fast.

Commissioner Ormonde asked if the Tattoo Parlor over by Rockies Donuts has been cleared to open and have they met all their conditions. He stated that he thought it needed to be checked on again. Planning Director Smyth noted that he had met all the conditions required, but she would double check and send an update.

Commissioner Elgin stated that she was looking for a status on a date that the sign at Days Inn will be coming down. Planning Director Smyth stated that she will check with code enforcement.

Adjournment: The meeting adjourned at 8:00 p.m.