

**RESOLUTION NO. 2008-09**  
**A RESOLUTION OF THE LEMOORE PLANNING COMMISSION**  
**RECOMMENDING APPROVAL OF MITIGATED NEGATIVE DECLARATION NO.2008-20**  
**FOR CONDITIONAL USE PERMIT NO.2008-08 / SITE PLAN REVIEW 2008-07**  
**APPLICATION BY ROBERT GIANNINI FOR SAINT PETERS CHURCH**

At a Regular Meeting of the Planning Commission of the City of Lemoore, duly called and held on October 13, 2008 at 7:30 p.m. on said day, it was moved by Commission member \_\_\_\_\_ seconded by Commission member \_\_\_\_\_ and carried that the following resolution be adopted:

**WHEREAS**, Robert Giannini has submitted a Conditional Use Permit application on behalf of the owner Diocese of Fresno Education Corp and the Roman Catholic Bishop, a Corp Sole to construct the new Saint Peter church containing 23,041 square feet of space with offices, a lobby, vestry, storage area, day chapel, courtyard, restroom facilities and associated parking and landscape; and

**WHEREAS**, the subject property is a 14.2 acre parcel located on the east of Lemoore Avenue south of Club Drive described as Assessor's Parcel No. 021-330-006, 021-330-009, 021-320-001, and 021-320-002; and

**WHEREAS**, the zoning on the parcels are R-1-7 (single family residential) and RSC (Recreation, School, Conservation) and General Plan designated Community Facilities; and

**WHEREAS**, staff conducted an Environmental Impact Assessment # 2008-20 and determined that a mitigated negative declaration should be adopted.

**WHEREAS**, a public hearing was noticed in the Hanford Sentinel October 2, 2008, and notices were sent to the property owners within 300' of each of the corners of the four parcels of the subject site on October 2, 2008 (more than 10 days in advance of the meeting), and the Lemoore Planning Commission held a duly noticed public hearing at their October 13, 2008 meeting; and

**NOW, THEREFORE, BE IT RESOLVED** that the Lemoore Planning Commission of the City of Lemoore recommends that the City Council:

- I. Make the following findings specified in Section 9-15B-2-E of the Lemoore Municipal Code on the basis of the application, staff report, and the evidence submitted to the Planning Commission:
  - a.) That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.
  - b.) That the proposed location of the conditional use is in accordance with the objectives of this Title and the purposes of the district in which the site is located.
  - c.) That the proposed use will comply with each of the applicable provisions of this Title. (Ord. 7901 2-6-79 as amended, 1-1986) so long as the following conditions of approval are met;
- II. Approve Mitigated Negative Declaration No. 2008-20 pursuant to CEQA after receiving all written and verbal testimony.

III. Approve Conditional Use Permit 2008-08 and Site Plan Review No. 2008-07 to construct a 23,041 square foot church over 14.2 acres of land with offices, a lobby, vestry, storage area, day chapel, courtyard, restroom facilities and associated parking and landscape to expire November 4, 2009 with the following conditions of approval to guarantee that the objectives of the Zoning Ordinance, as generally described in Section 9-1-2 and 9-15B-2-A8, are met:

1. The project shall be developed as per approved redlined plans which is made a part of the conditions, and substantial deviation from the approved plans will require re-submittal, payment of appropriate fees, and a new approval by the Planning Department, unless covered in the conditions below.
2. *Parcel Map:* A Parcel Map shall be applied for, fees paid, approvals given, and map recorded to merge parcels 021-330-006 and 021-330-009 together and parcels 021-320-001 and 021-320-002 and may adjust property lines as needed in the process. Such map can be completed during the construction period, but shall be recorded prior to an occupancy being issued. Such map shall additionally include all easement and dedication areas in addition to full right-of-way widths of adjacent streets.
3. *Access:* The rear access driveway shall be modified as generally shown on the redlined site plan approved by Planning, Public Works, and City Engineer offices.

Adequate ADA compliant pedestrian sidewalks shall be provided as generally shown on the redline drawing, to provide safe access in, around and through the entire site. This involves installing adequate curb cuts at all driveways which abutt the entire project site, adequate access from the parking space to building entrances, and installing concrete pathways through parking areas to tie together the access between uses with cross slopes less than 2%.

Parkway style sidewalk system shall be installed along the entire frontage of all four parcels, which will help in ADA compliant crossing of drive approaches, provide adequate pedestrians safety, and improve the general welfare. The layout shall incorporate a 5' parkway, 10' meandering sidewalk and only a 10' landscaped area behind a 42' half width right-of-way as generally shown on the redlined site plan. This requires some changes to the proposed parking areas nearest to MIQ school. Trees within the parkway or within 5' of the sidewalk in the landscape easement will need to be from the approved City Tree list and spaced at a 40' on center average within the parkway area and 20' on center within the landscape easement area and need to be incorporated into the landscape plan. All landscaped areas will need to be properly maintained at all times.

A pedestrian/bikeway path shall be constructed through the parking area with adequate lighting from the parking area and an easement shall be dedicated to the City through the project site.

The project shall dedicate an area in the new landscape strip in back of sidewalk and install a bus shelter per KART standards as generally shown on the redlined plan.

4. *Traffic:* The drive approach at the main church Driveway in line with Devon Drive on Lemoore Avenue shall install removable channelization bollards which restrict left turn movements from the church onto Lemoore Avenue. These bollards would need to be in place on Sunday mornings, and may later be required to be in place at other time periods as determined by the Police Department.

Driveway curb cuts shall be generally constructed per Public Works standard P-10, with the exception of how the parkway ties into the curb.

Landscaped median on Club Drive shall to be extended from its existing location to the cross walk for the short term traffic mitigation. The design width, landscape and irrigation shall be approved by the Planning and Public Works Directors in conformance with General Plan policy CD-I-6 and incorporate drip irrigation as needed and properly maintained. The City of Lemoore shall monitor the intersection to address possible long-term mitigation of installing a center median along Lemoore Avenue or installing a traffic signal which initial traffic impact fees will help offset.

A new north south off-site driveway/street connecting from the backside of the proposed church to Cinnamon Drive shall be dedicated and constructed with curb, gutters, and 24' of asphalt to City Standards. Plan and profile sheets shall be provided for this new driveway.

The applicant will need to work with the City staff to develop adequate parking and dropoff for students approved by Planning, Public Works, and Engineering Departments. Chaining off the parking area in front of the school is not a preferred strategy

5. *Right-of Ways (ROW) and Easements:* The project will need to dedicate an additional 2' of ROW to the City along Lemoore Avenue, ROW for the new off-site street so that 60' of total right of way will exist. A 10' public utility easement shall be dedicated along Lemoore Avenue and Club Drive behind the new ROW line(s). An easement for the bus stop and for the bikeway need to be offered for dedication which could be done on a Parcel Map.
6. *Parking:* 337 parking spaces shall be provided as generally shown on the redlined site plan which requires the construction of the "future" parking areas as well as the proposed areas once they are modified and compliant with ADA requirements. Additionally, a blanket cross-access / cross-parking easement across all parcels shall be required and recorded and can be reflected on the Parcel Map.

A copy of PG&E easement document shall be submitted for review by the City Engineer to ensure that parking is allowed under the utility lines. Additionally, page E-1S shows a light under the 70kv powerlines and needs to be located to ensure that it does not conflict with PG& E easement per the City Engineer.

The project shall provide provide bike rack parking to accommodate at least 17 bikes (5% of the existing 337 parking stalls) adjacent to the pedestrian/bikeway adjacent to the pedestrian/bikeway, school site and social hall areas. The bike racks should be of such design as to hold the bicycle frame (not just the wheel), should accommodate a u-shaped shackle lock, a wide range of cycle sizes, wheel sizes and types, and should be covered in a protective material to reduce damaging the bicycle.

7. *Landscape (other than streetscape):* Parking lot trees shall be spaced a minimum of 1 tree per 6 stalls for double-loaded bays, or 1 tree per 3 stalls for single-loaded or side-loaded bays to provide shade. The landscape plan will need to be slightly modified to meet the General Plan policy CD-I-12 as later approved by the Planning Department which can be submitted after pulling a building permit so long as it is not in the construction plan approval set.

The 8' proposed landscape on the south of the project should be planted north of its proposed location on the northside of the 8' path so that cars will not overhang into the path.

8. Portions of the existing chain link fencing that interferes with the parking lot will need to be removed or relocated. Additionally, a portion of the slated chain link fence along Club Drive from the parking lot to the wrought iron fence needs to be removed to leave open at least a 25' visibility triangle.

Vines and shrubbery shall be planted adjacent to service yard walls.

9. *Lighting:* Light poles within the parking lot will need to be located so as to provide adequate lighting for pedestrian safety and traffic flow, including the bikepath area. Old light poles which are remaining shall be painted to cover rust or maintenance issues.

Uplighting should be incorporated into the building to highlight the architecture so long as it does not encroach into dark sky policies of the General Plan.

Seven (7) street lights will need to be located at approximately 165' on-center along Lemoore Avenue as generally shown on the redlined site plan and may be eligible to pay in-lieu fees for the installation. The locations of all these on and off-site lights will need to be provided on the electrical plan and overall construction site plan to be approved by the Public Works and Planning Departments.

10. *Utilities:* All above ground utility poles which are not be underground with the Rule 20A project on site must be undergrounded.

All utilities will need to be designed in coordination with the Public Works Department so that adequate facilities are installed.

Storm drainage must be taken away from the entire project site, which includes both the church and MIQ areas to tie into the existing storm line from the inlet on Lemoore Avenue to on site storm lines and then tie into a new off-site storm line. A storm drainage line will need to be constructed from the project site to Heritage Park, approximately 800', and oversized to accommodate the church and various adjacent parcels. The costs for installation will be determined based of fair share formula's from the City Engineer dependant on the users of the line. Additionally, on-site storm drainage must also handle run off to meet NPDES Regulations and meet Public Works and City Engineer requirements.

11. It appears that 3-4 fire hydrants will be needed along Lemoore Avenue and 1 near the rear driveway entrance to meet the City standard spacing of one every 300' as generally shown on the redlined site plan. Fire Department Connection (FDC) will also need to be installed on the north easterly portion of the new church as shown on the redlined drawing. Lastly, a fire sprinkler system shall be installed as determined by the Building Department.
12. The proposed trash enclosure needs to be relocated as generally shown on the redlined site plan. Enclosure gates should be painted or changed to match the wood plank looking doors of the church and shall be constructed to meet the structural integrity in Public Works standard M-6. Landscaping shall be incorporated around enclosure to reduce the visual appearance.

13. *Design:* Redlined windows should be modified to include white trim work as it looks unfinished otherwise. The service yards shall be relocated 15' to the east to provide better visibility of their detail from the parking area.
14. *Signs:* A separate sign application along with the required documentation and fees will need to be submitted for separate approval process to determine conformity with the City's Sign Standards.
15. The developer will need to comply with the San Joaquin Valley Air Pollution Control District standards and the City of Lemoore dust control requirements.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on October 13, 2008, by the following votes:

**AYES:**  
**NOES:**  
**ABSTAINING:**  
**ABSENT:**

**APPROVED:**

---

**ATTEST:**

---

Holly P. Smyth

**\*This resolution is a recommendation only by the Planning Commission with final action to be made by the City Council pursuant to Lemoore Municipal code Section 9-15-B-2G and no final determination on the environmental impact assessment has been or can be made until after the review period of October 24, 2008.\***

**CERTIFICATE**

**STATE OF CALIFORNIA )  
COUNTY OF KINGS     )   ss.  
CITY OF LEMOORE     )**

**I, Holly P. Smyth, Secretary of the City of Lemoore's Planning Commission, do hereby certify the foregoing Resolution of the Planning Commission of the City of Lemoore was duly passed and adopted at a Regular Meeting of the Planning Commission held on October 13, 2008.**

**DATED: \_\_\_\_\_ , 2007**

\_\_\_\_\_  
**Holly P. Smyth, Secretary  
Lemoore Planning Commission**