

RESOLUTION NO. 2009-02

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
APPROVING A ONE-YEAR EXTENSION FOR SITE PLAN REVIEW NO. 2007-09
CONDITIONAL USE PERMIT NO. 2008-02 / SPECIAL ZONING EXEMPTION NO. 2008-01
TO CONSTRUCT CANDLEWOOD SUITES (AN 83 ROOM THREE STORY HOTEL)
BY LEMOORE EQUITY PARTNERS**

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on March 23, 2009 at 7:00 p.m. on said day, it was moved by Commission Member _____, seconded by Commission Member _____, and carried that the following Resolution be adopted:

WHEREAS, Anil Chagan of Lemoore Equity Partners, has submitted an application for extension for Site Plan Review No. 2007-09 to construct an 83 room three (3) story Candlewood Suite Hotel on a 3.49 acre site; and

WHEREAS, the proposed Candlewood Suites Hotel is located at the northwest corner intersection of East D Street and Daphne Street, more specifically known as Assessor's Parcel Numbers 023-020-037: and

WHEREAS, the zoning on the parcel is Commercial Highway (CH) per City Council Resolution No. 2008-09 approved March 4, 2008, and General Plan designation of Mixed Use; and

WHEREAS, the original approval for Site Plan Review was through Planning Commission Resolutions No. 2008-03 approved February 11, 2008 and affirmed by City Council Resolution No. 2008-09 adopted March 4, 2008; and

WHEREAS, the applicant submitted an application on February 23, 2009 requesting a one (1) year extension of their project prior to it's expiration as per Section 9-15C-9 of the Lemoore Zoning Code; and

WHEREAS, the Lemoore Planning Commission held a meeting on March 27, 2009 to discuss all new City policies adopted after the project's original approval date.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore does hereby grant a one (1) year extension to Site Plan Review No. 2007-09 / Conditional Use Permit No. 2008-02 / Special Zoning Exemption No. 2008-01 to expire March 4, 2010 with the following reiterated, modified and new conditions pertaining thereto:

1. The project shall be developed as per approved redlined plans, and any 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. Phases II and III are not a part of this application and will require a separate Site Plan approval review.
3. Proposed Phase 1 and 2 will need to be moved south to include both ingress and egress of each approach, unto the site for each phase of the construction. Corrections will need to be reflected on the final drawings and will need to be approved by the Public Works Department and the City Engineer.

4. Prior to the issuance of a building permit, a 10' PUE offer of dedication along Daphne Lane and D Street, shall be made, called out on the final drawings and recorded with Kings County. Additionally, the 28' ROW dedication, along the westerly property line shall be made to the City and recorded with the Kings County Clerk/Recorder with an 'Acknowledgement' versus an 'Acceptance'. This ROW shall be owned, maintained and the responsibility of the applicant/owner until such time as the City 'Accept' the dedication. Lastly, a blanket cross-access / cross-parking / cross-utility easement shall be recorded across the entire site.
5. Daphne Lane shall have striping to accommodate one south bound travel lane and one north bound travel lane along the majority of the site (with the exception of the area immediately adjacent to the intersection) and 6' wide striped bike lanes in the street with 7' wide parkway strips and 6' sidewalks. However, if some of the recent improvement conflict with this, some leeway should be provided so that concrete does not have to be torn out.
6. Parking spaces need to be modified to accommodate 9'x20' size without anticipating overhang and four (4) additional handicap stalls shall be added. A cross-parking access agreement should be recorded over the site prior to a Parcel Map being recorded.
7. A bike rack shall accommodate at least six (6) bicycles and shall be incorporated into the site and located within a visible and accessible area. The proposed rack type and location shall be submitted to the Planning Department for approval prior to a building permit being issued.
8. No less than fifteen percent (15%) of the Phase I portion of the parcel shall be landscaped with at least 5% of the parking lot being landscaped from this total as generally shown on the redlined site plan. Landscaping in the ten foot (10') wide landscape easement shall be installed along Daphne Lane along Phase I site to include ground cover, shrubs to hide cars, and trees planted at an average spacing of 20' on center (with appropriate deep bubbler irrigation).

A five (5') wide parkway shall be installed with Phase I of the project along both Daphne Lane and East D Street using ground cover and trees from the City approved Street Trees List planted 40' on center along the entire parcel frontage.

A 5' wide landscape buffer strip shall be installed and shall form a solid visual cover to 7' in height within one year, along the west and northerly portions of the site spaced at an average of 20' on center (with appropriate deep bubbler irrigation). Landscaping shall be provided over Phases II & III areas to reduce dust problems.

9. The overall design of the project shall provide a pedestrian friendly environment by providing pathways as delineated on the redlined plans (Exhibit A) and incorporate stamped colored concrete or pavers in a color that compliments the light brown tones of the Hotel. No ramps are delineated on the site plans however any and all ramps will need to be properly identified in the drawing plans and include appropriate handicap ramp at curb returns and should be of an earth tone color to blend in with the adjacent pedestrian walk ways.
10. A 7' wrought iron fence be installed along the northerly property line and the southwesterly portion of Phase I, as shown on the redlined drawing, and vines shall be strategically located so that solid screening can grow on the structure to create a visual buffer. Landscape buffer requirements will apply along the length of the fence to assist in further buffering the adjoining zones and be 5' wide in depth.
11. Street lights shall be installed along the entire parcel in accordance with City standards. Building mounted lighting shall be integrated with the architectural design of the building and shall be shown in the construction drawings. All other exterior lighting shall satisfy Building Department standards.

12. All public improvements such as sanitary sewer, storm drainage, water, and streets shall be installed in accordance with the City of Lemoore design standards and applicable Master Plans. The storm drain system must be upgraded to handle run off and meet NPDES regulations. *Upon completion of any infrastructure improvements and their acceptance by the City, the developer's engineer shall prepare drawings of as built improvements and shall submit to the City one reproducible and three blue line copies for the City's records in addition to a digital copy.*

The refuse trash enclosure shall be built per City Standards in location delineated on the site plan in phase one. The trash enclosure shall be designed to include both a trash bin and a recycling bin of sufficient size to accommodate the use and will need to be upgraded to blend with the onsite architecture and appropriate landscaped to soften its appearance.

Refuse trash enclosure walls shall be of block or masonry material and deigned to match the buildings and the site's architectural décor and color scheme. The enclosures shall be accessible to residents and businesses, yet located away from main entries. Trash enclosures within a development of two-stories or more shall incorporate a trellis cover or a roof design to screen views from above. Landscaping around the enclosure is highly recommended. The size and number of enclosures needed should be such that the type of use of the project would adequately be served.

Four (4) fire hydrants shall be installed during this Phase I of the project and shall be at a distance no greater then 300' from the next nearest fire hydrant. The Fire Department Connection (FDC) shall be installed at the northwest corner of the building (hotel), as shown in the redlined drawing.

Any above ground utilities shall be undergrounded. Other new utilities shall be integrated into buildings or landscaped areas in such a manner to hide their appearance from public view. Roof mounted air conditioning units shall also be appropriately screened so that they are not visible from public streets.

13. Additional changes shall be incorporated to the exterior elevations as delineated per redlined Exhibit B and final color samples shall be submitted and approved by the Planning Director to ensure they are similar to the submitted color renderings.
14. Prior to any signage being ordered for the site, the developer must submit a sign application and applicable fee and receive separate approval from the Planning Department.
15. Due to the concurrent submittal of a Special Zoning Exception application, the applicant shall agree to allow the property to be re-zoned to reflect the new General Plan's Mixed-Use designation, ~~upon approval of the proposed General Plan~~ and new Mixed-Use Zoning District Standard.
16. *The developer shall comply with the Fugitive Dust Control Standards of the San Joaquin Valley Unified Air Pollution Control District at all times.*
17. *In accordance with the findings of City Council Resolutions 2008-29 approved April 1, 2008, which updated impact fees originally adopted through City Council Resolution 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, the project will have an impact on the need for new public facilities and improvements in the City. The costs associated with these impacts and the connection between the need for new public facilities and the proposed project are set forth in ~~these five (5) Resolutions listed along with the Colgan Report~~ Resolution 2008-*

29. As a result, the applicant shall be subject to and shall pay the impacted fees as set forth in these five (5) Resolutions this Resolution which is updated annually.

18. Upon completion of any infrastructure improvements and their acceptance by the City, the developer's engineer shall prepare drawings of as built improvements and shall submit to the City one reproducible and three blue line copies for the City's records in addition a digital copy for incorporation into the City's GIS system.

19. The following design elements shall be considered in the design process where ever practical per the newly adopted 2030 General Plan:

A. Mixed-Use Centers:

- a) CD-I-37 New development shall consider design issues relating to scale, massing, building orientation, accessibility, primary view corridors, community areas, location of parking and /or loading/unloading areas, compatibility of use, landscaping, relationship to surrounding neighborhoods, and other site and building design issues in their development. (At least 15 percent of the site must be planting area)
- b) CD-I-38 Shall provide a pedestrian friendly environment in mixed-use centers with wide sidewalks, small plazas and benches, pedestrian scaled building massing, and parking hidden from view from the street.
- c) CD-I-39 Establish a defined center, such as a landscaped area, civic square or transit stop with street furniture and other pedestrian amenities, at the core of a mixed-use center. (At least 5 percent of the gross area in each center should be dedicated to public gathering space.)

B. Heat and Light CD-I-58: Incorporate passive heating and natural lighting strategies if feasible and practical by using:

- a) Building orientation, mass and form, including façade, roof, and choice of building materials, color, type of glazing, and insulation to minimize heat loss during winter months and heat gain during summer months.
- b) Building design openings to regulate internal climate and maximize natural lighting, while keeping glare to a minimum.
- c) Reduce heat-island effect of large concrete roofs and parking surfaces.

C. Surface Water Runoff CD-I-59: Reduce storm water run-off, control water pollution, and promote water recharge through sustainable hydrological design by:

- a) Limiting building footprint and reducing imperviousness, using permeable paving or landscaping to break up expanses of impervious surfaces
- b) Using trees canopy and shrubs to absorb rainwater and slow water flow
- c) Incorporate drainage design into the infrastructure, including roof downspouts, retention cells, or infiltration trenches, to filter and direct storm water into vegetated areas or water collection devices
- d) Installation of sub-surface water retention facilities (for large development) to capture rainwater for use in landscape irrigation and non-potable uses

D. Energy Efficiency CD-I-60: Incorporate green building standards to ensure high level efficiency, also:

- a) Use of Energy Star[®] Appliances and equipment
- b) If project proposes to use more than 40,000 kilowatt hours per year, should install photovoltaic energy system

E. Good construction Practice

- a) CD-I-61 Green Building Design
- b) CD-I-62 Restrictive use of chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs) and halons in mechanical equipment and building materials

- c) Use of durable products and efficient end-of-life disposal of appliances and material (recyclable)
- d) Overall reduction of environmental impact

Phase I of the project for the hotel will generate approximately 617 average daily trips.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on March 23, 2009 by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Sharon Kendall, Chairperson

ATTEST:

Holly P. Smyth, Secretary

*** This extension subject to review and ratification by City Council**

CERTIFICATE

STATE OF CALIFORNIA

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

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 March 23, 2009.

DATED: _____, 2009

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