

AGENDA

ORANGE COVE PLANNING COMMISSION MEETING

TUESDAY, FEBRUARY 21, 2017

REGULAR MEETING AT 6:30 P.M.
Orange Cove Council Chambers
633 6th Street,
Orange Cove, California 93646

Coy Weldon, Chairman
Planning Commissioners
Rev. Rick Applegarth,
Vicky Alvarado, - Rick E. Alonso - Charles Lopez

A. Call to Order/Welcome

1. Roll Call
2. Flag Salute

B. Confirmation of Agenda

(Materials regarding an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 633 6th Street, Orange Cove, CA 93646 during normal business hours.)

C. Consent Calendar:

1. Planning Meeting Minutes of November 1, 2016

D. Administration

1. **SUBJECT: PUBLIC HEARING** Consideration and Discussion regarding the request filed by the City of Orange Cove for a Vesting Tentative Tract Map No. 6113 to subdivide a 0.78-acre parcel into 5 residential lots. The property is located between Martinez Avenue and Hope Avenue west of Lopez Lane in the Joe Serna Estates tract.

Recommendation: Staff recommends the Planning Commission to consider adopting the Resolution approving the Vesting Tentative Map No. 6116 for 5 lots and approve Variance 2017-01 for lot width and approve a Categorical Exemption under CEQA

2. **SUBJECT:** Consideration and Discussion regarding the O'Reilly Auto Parts – Conditional Use Permit 2017-01 and Site Plan Review 2017-01

Recommendation: Staff recommends the Planning Commission to adopt the Resolution approving the Conditional Use Permit (CUP) 2017-01 and Site Plan Review (SPR) 2017-01 with conditions.

E. Adjournment

Public Comment: Members of the public shall have an opportunity to address the City Council concerning this matter.

ADA Notice: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (559) 626-4488 ext. 214. Notification 48 hours prior to the meeting will enable the City to make arrangements to ensure accessibility to this meeting.

Documents: Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at front counter at City Hall and at the Orange Cove Library located at 815 Park Blvd., Orange Cove, CA during normal business hours. In addition, most documents are posted on City's website at cityoforange Cove.com.

NOTICE

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the public entity conducting the hearing at, or prior to, the public hearing. (Government Code Section 65009.)

STATEMENT ON RULES OF DECORUM AND ENFORCEMENT

The Brown Act provides that members of the public have a right to attend public meetings, to provide public comment on action items and under the public forum section of the agenda, and to criticize the policies, procedures, or services of the city or of the acts or omissions of the city council. The Brown Act also provides that the Planning Commission has the right to exclude all persons who willfully cause a disruption of a meeting so that it cannot be conducted in an orderly fashion.

During a meeting of the Orange Cove Planning Commission, there is a need for civility and expedition in the carrying out of public business in order to ensure that the public has a full opportunity to be heard and that the Commissioners has an opportunity to conduct business in an orderly manner. The following is provided to place everyone on notice of the rules of decorum and enforcement.

GENERAL RULES OF DECORUM

While any meeting of the Planning Commission is in session, the following rules of decorum shall be observed:

1. All remarks shall be addressed to the Planning Commission as a whole and not to any single member, unless in response to a question from a member of the City Council.
2. A person who addresses the Planning Commission under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct (i) which is likely to provoke others to violent or riotous behavior, (ii) which disturbs the peace of the meeting by loud and unreasonable noise, (iii) which is irrelevant or repetitive, or (iv) which disrupts, disturbs, or otherwise impedes the orderly conduct of any Planning Commission meeting.
3. A person, other than members of the Planning Commission and the person who has the floor, shall not be permitted to enter into the discussion unless requested by the Chairman to speak.
4. Members of the Planning Commission may not interrupt a person who has the floor and is making public comments. Members of the Planning Commission shall wait until a person completes his or her public comments before asking questions or commenting. The Chairman shall then ask the Planning Commissioners if they have comments or questions.
5. No person in the audience at a Planning Commission meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Planning meeting.

ENFORCEMENT OF DECORUM RULES

While the Planning Commission is in session, all persons must preserve order and decorum. A person who addresses the Planning Commission under public comment for a specific agenda item or under the Public

Forum section of the agenda may not engage in speech or conduct which is likely to provoke others to violent or riotous behavior, which disturbs the peace of the meeting by loud and unreasonable noise, which is irrelevant or repetitive, or which disrupts, disturbs, or otherwise impedes the orderly conduct of any Planning meeting.

The Chairman or other presiding officer shall request that a person who is breaching the rules of decorum cease such conduct. If after receiving such a warning, the person persists in breaching the rules of decorum, the Chairman or other presiding officer may order the person to leave the City Council meeting. If such person does not leave, the Chairman or presiding officer may request any law enforcement officer who is on duty at the meeting as sergeant-at-arms to remove the person from the Council Chambers. In the event there is no one from law enforcement present, the Chairman or presiding officer may direct the City Manager to contact law enforcement.

In accordance with the Point of Order Rule 4.6, the majority of the Planning Commission may overrule the Chairman if the majority of the Planning Commission believes the Chairman or other presiding officer is not applying the rules of decorum appropriately.

MINUTES

ORANGE COVE PLANNING COMMISSION MEETING

TUESDAY, NOVEMBER 1, 2016

REGULAR MEETING AT 6:30 P.M.

Orange Cove Council Chambers

633 6th Street,

Orange Cove, California 93646

Coy Weldon, Chairman

Rev. Rick Applegarth, Planning Commissioner - Vicky Alvarado, Planning Commissioner

Rick E. Alonso, Planning Commissioner – Charles Lopez, Planning Commissioner

A. Call to Order/Welcome

Commissioner present: Weldon, Applegarth, Alvarado, Alonzo and Lopez

Staff Present: City Manager Sam Escobar; City Clerk June V. Bracamontes, and City Engineer Gary Horn

Flag Salute by Chairman Coy Weldon

B. Confirmation of Agenda

(Materials regarding an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 633 6th Street, Orange Cove, CA 93646 during normal business hours.)

No Changes.

C. Consent Calendar:

1. Planning Meeting Minutes of July 19, 2016

Upon the motion by Member Alonzo and seconded by Member Lopez, the Consent Calendar was approved as presented.

D. Administration

1. **SUBJECT: PUBLIC HEARING** Consideration and Discussion regarding the request filed by Capital Rivers commercial for a Conditional Use Permit for an

Auto Accessory Parts store and a Site Plan Review for a neighborhood shopping center at the Northwest corner of Park Blvd. and Anchor Avenue (APN 375-404-21)

Recommendation: Staff recommends the Planning Commission to consider approving the Conditional Use Permit NO. 2016-02 and the Site Plan Review 2016-04 for Capital Rivers

Chair opened and closed the Public Hearing:

Frank from Capital Rivers working on this project phase 1 of the project and negotiating on Phase 2 keep momentum going very excited. Open arms from the City.

City Manager has been working with Frank since Family Dollar. Started his own company and working with him to coming to Orange Cove.

Approve the attached Resolution that will approve the Site Plan Review 2016-04, Conditional Use Permit 206-02 and a Negative Declaration for the proposed commercial development at the Northwest corner of Park Blvd and Anchor Avenue.

Resolution approving the Site Plan Review 2016-04

Upon the motion by Chairman Weldon and seconded by Member Applegarth, Planning Commissioners approved the Resolution approving the Site Plan Review 2016-04 as presented

Conditional Use Permit

Upon the motion by Member Lopez and seconded by Member Alonso, Planning Commission approved the Conditional Use Permit as presented

Negative Declaration

Upon the motion by Member Applegarth and seconded by Member Lopez, Planning Commission approved the Negative Declaration as presented.

E. Adjournment

Chairman Weldon adjourned the Planning Meeting at 7:20 PM.

RESPECTFULLY SUBMITTED:

June V. Bracamontes, City Clerk
City of Orange Cove

PRESENTED TO PLANNING COMMISSION:

DATE: _____

ACTION: _____



CITY OF ORANGE COVE

REPORT TO THE PLANNING COMMISSION

To: Orange Cove Planning Commission
From: Gary D. Horn, City Engineer
Subject: O'Reilly Auto Parts – Conditional Use Permit 2017-01 and Site Plan Review 2017-01
Attachments: Site Plan and Elevations Resolution

RECOMMENDATION:

We recommend that the Planning Commission adopt the attached Resolution approving Conditional Use Permit (CUP) 2017-01 and Site Plan Review (SPR) 2017-01 with conditions.

EXECUTIVE SUMMARY:

O'Reilly Auto Parts has submitted an application for a Site Plan Review for an auto Parts Store 1 acre of land at the southwest corner of Park Blvd. and Tenth Street. The A Conditional Use Permit is required for an auto parts store. The project qualifies for a Categorical Exemption as Class 32: In-fill Development Projects under the CEQA guidelines. Notices were mailed to 35 property owners within 300 feet of the project.

SITE PLAN REVIEW

A SPR is required before any building or structure is erected in the City of Orange Cove. The Applicant proposes to construct a 7,716 square foot O'Reilly Auto Parts store on approximately 1 acre of land at the southwest corner of Park Blvd. and Tenth Street.

The site is designated as Central Commercial on the General Plan Land Use Plan. The existing zoning is C-3, Central Business and Shopping. A CUP is required for automobile parts sales. Paragraphs A-F below further describe the project for purposes of the SPR.

Prepared by: GH

Approved by: 

REVIEW: City Manager: GH

Finance: _____

City Attorney: _____

TYPE OF ITEM:

Commission ACTION: APPROVED DENIED NO ACTION

- Consent
- Info Item
- Action Item
- Department Report
- Redevelopment Agency

- Public Hearing
- Matter Initiated by a Council Member
- Other
- Continued to: _____

Surrounding Uses: The surrounding uses are as follows:

<u>Location</u>	<u>GP Designation</u>	<u>Zoning</u>	<u>Existing Use</u>
North	Central Commercial	C-3 - Central Business and Shopping	Restaurant, Vacant & Auto Sales
West	Central Commercial	C-3 - Central Business and Shopping	Grocery Store
South	High Density Residential	R-3 High Density Residential	Vacant and Single Family Residential
East	Central Commercial	C-3 - Central Business and Shopping	Convenience Store & Office

A. Parking: The C-3 Zone District requires 1 square foot of parking for each 3 square foot of building area, which equates to 15 spaces. The total number of parking spaces provided is 46. The project also provides a loading zone. The proposed parking exceeds the parking requirement of the C-3 zoning.

B. Street and Alley Improvements: The streets are improved on the perimeter of the site. Any broken or sub-standard concrete will be replaced. A new handicap ramp will be required at the corner. Alley paving along the north side of the alley is required from the existing pavement to the right of way line. A masonry block wall along the alley is proposed across the building width.

C. Building: The proposed building is masonry block with storefront glass at the front entrance.

D. Lighting: Two parking lot lights will illuminate the building exterior and parking lot. In addition, wall mounted lights will be on the building. Two additional parking lot lights at the alley are being required.

E. Trash Enclosures: One trash enclosure will be provided at the alley. Pedestrian access from the parking lot is required.

F. Conditions of Approval: Staff proposes the Conditions of Approval for the project as attached as Exhibit B to the attached Resolution.

CONDITIONAL USE PERMIT

The Zoning Ordinance requires a CUP for Automobile Parts Sales. In order to approve a CUP the Planning Commission must make the following findings.

1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.

Applicant Comment: The proposed development does not interfere with the overall plan for the area. The property is surrounded by retail and shopping uses, so an auto parts store will not be a significant change for the area.

2. That the proposed location, structures, and uses, and the conditions under which they would be operated and maintained, will not be detrimental to the public health, safety or welfare, or materially injurious to or inharmonious with properties or improvements in the vicinity. Such considerations should include, but are not limited to, avoidance or traffic congestion, safety of pedestrian and vehicular circulation, and esthetic values within the district.

Applicant Comment: Safe engineering practices will be utilized in the planning and construction of this project. The development will provide pedestrian access ADA accessible parking stalls, and driveways to direct traffic in an out of the site. Landscaping

and screen walls will be provided in order to provide aesthetic aspects to the property.

3. That the proposed use will comply with all of the applicable provisions of this title, including but not limited to yards, coverage, height of structures, walls and fences, landscaping, off-street parking and loading facilities, lighting, and signs.

The proposed development incorporates landscaping, a structure height no more than 40 feet tall, masonry walls to screen the development from the adjacent residential uses, parking and loading areas as well as on site lighting and signage to safely convey traffic.

Staff believes that the Planning Commission can make the above findings for approval of a Conditional Use Permit.

REASON FOR RECOMMENDATION:

The proposed project complies with the requirements of the Orange Cove Zoning Ordinance and will provide employment opportunities for the community. A vacant parcel along the main shopping street will be developed to a commercial use.

FISCAL IMPACT: The City will receive additional sales and property tax revenue from the project.

ALTERNATIVES: The Planning Commission may:

1. Request changes in the Site Plan or building elevations
2. Request additional information from staff or the developer
3. Approve as recommended, or with modified conditions
4. Reject the request, with specific reasons for the denial. If denied by the Planning Commission, the project could be appealed to the City Council.

ACTIONS FOLLOWING APPROVAL:

The applicant can submit building plans for permits to construct the improvements.

CONFLICT OF INTEREST: None

RESOLUTION NO. PC 2017-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE COVE APPROVING OF SITE PLAN REVIEW 2017-01, CONDITIONAL USE PERMIT 2017-01 FOR PROPOSED AUTO PARTS STORE AT THE SOUTHWEST CORNER OF PARK BOULEVARD AND TENTH STREET FILED BY O'REILLY AUTO PARTS

WHEREAS, Site Plan Review application 2017-01 and Conditional Use Permit application CUP 2017-01 have been submitted by O'Reilly Auto Parts to allow the construction of an auto parts store on a one-acre site in the C-3 zone district; and

WHEREAS, the project is located on the southwest corner of Park Boulevard and Tenth Street; and

WHEREAS, the Planning Commission considered the matter at a regularly scheduled meeting on February 21, 2017; and

WHEREAS, the project qualifies for a Categorical Exemption as Class 32, Infill Development according to the California Environmental Quality Guidelines; and

WHEREAS, the Planning Commission considered all items enumerated in Section 17.56.050 related to Site Plan Review and Section 17.52.060 related to Conditional Use Permit of the Orange Cove Municipal Code.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby finds:

1. That the site for the proposed use is adequate in size and shape to accommodate the proposed use and all yards, spaces, walls, and fences, parking, loading, landscaping, and other features required by Site Plan Review 2017-01 are consistent with the other land uses in the neighborhood;
2. That the streets are adequate to accommodate the proposed use;
3. That the proposed use will not be detrimental to the character of the development in the immediate neighborhood;
4. That points of ingress and egress, underground utilities, are adequately addressed in Site Plan Review 2017-01;
5. The Planning Commission makes all of the findings required by Section 17.52.060 of the Orange Cove Municipal Code;
5. A CEQA Categorical Exemption as Class 32, Infill Development Projects, is hereby adopted and that there is no substantial and credible evidence in the record that this project will have a significant environmental effect.

BE IT FURTHER RESOLVED that the Planning Commission approves Site Plan Review 2017-01 and Conditional Use Permit 2017-01 subject to the following condition:

1. The site shall be developed in substantial conformance with the Site Plan attached hereto as Exhibit A and Conditions of Approval attached hereto as Exhibit B.

I hereby certify the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the Planning Commission of the City of Orange Cove at a meeting held on the 21st day of February, 2017 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

ATTEST:

June Bracamontes, Secretary

EXHIBIT "B"

Conditions of Approval

O'REILLY AUTO PARTS
SPR 2017-0, CUP 2017-02
City of Orange Cove

A. Planning and Building

1. To mitigate additional trash and debris deposited in the trash enclosure from alley transients, provide pedestrian access to the trash enclosure from the parking lot. Trash enclosure shall conform to Orange Cove City standards M-4 and M-5.
2. Install two additional parking lot light poles near the alley side of the property. One light pole each near the two alley traffic openings. Install security lighting on the building. All lighting shall be hooded and arranged in such a manner as to not create glare onto adjacent streets or properties.
3. All construction and improvements shall be in strict conformance with Orange Cove Municipal Code ordinances, resolutions and policies, City of Orange Standard Specifications and Detail Drawings and the 2016 California Building Code, California Plumbing Code, California Mechanical Code, California Electrical Code, California Fire Code, California Green Code and the California Energy Code.
4. Prior to the commencement of any work on this project, the general contractor and all sub-contractors shall obtain a business license form the City of Orange Cove Finance Department.
5. The developer shall obtain all required building and encroachment permits from the Building Department.
6. The general Contractor shall be responsible for obtaining an encroachment permit before any work performed within the public right-of-way or easements. The General Contractor shall submit for review and approval an encroachment Permit Application to the Building department.
7. This project is subject to the payment of City Development Impact Fees, Kings County Unified School District Fees, and Fresno County Transportation Authority's Regional Transportation Mitigation Fee. All development impact fees shall be paid prior to the issuance of a building permit as set forth in the Orange Cove City Code. The amount of such fees shall be calculated by the City Engineer during the building plan check process.
8. Before building permit issuance, the owner shall comply with CalGreen's construction debris recycling Waste Management Plan for the project. The owner shall submit a WMP with the Building Department. Forms are available from the Building Department.
9. The owner/contractor shall keep the exterior premises free from trash and debris. Graffiti shall

be removed or covered within 48 hours of its discovery by the owner/operator, manager, or any employee. This condition shall also apply to any areas adjacent to the business under the control of the owner.

10. The Developer shall install underground services for electrical power distribution, telephone and cable television lines.
11. Sewer and water connections shall be from the alley right-of-way and shall not cross other private property unless approved by the City Engineer. Water services and meters shall comply with City Standard W-3 including an end-point transmitter. A backflow preventer is required for domestic and irrigation services.
12. The General Contractor shall continually maintain the existing pavements free of dirt, dust and/or mud.
13. Submit a landscape irrigation plan, including irrigation to existing tree wells along Park Blvd. to the City for approval prior to issuance of any building permits.
14. Any free standing or occupancy signs shall be approved by the Planning Department by means of a separate application, sign review process and permit.
15. A residential dwelling was formerly located on the property with a septic tank and water well. Any septic systems, agricultural wells, or water wells found on the site shall be abandoned and sealed in accordance with the California Department of Health Standards and the Fresno County Health Department Regulations.
16. Grading/construction work, including start-up of equipment/machinery shall not begin prior to 7:00 a.m., Monday through Friday. Prior written authorization must be obtained from the City Engineer before performing any work on weekends and/or holidays.
17. During construction, the General Contractor shall provide and maintain filter materials (filter fabric, straw wattle, etc.) at all storm drain inlets within and adjacent to the project.
18. During construction, the General Contractor shall maintain a program of dust control to prevent air pollution, as well as discomfort or damage to adjacent and surrounding uses and properties. The General Contractor shall follow all requirements and recommendations made by the San Joaquin Valley Air Pollution Control District for dust and emission reduction.
19. The project is subject to the permitting requirements of the San Joaquin Valley Air Pollution Control District. Contact the Permit Services Section for any required permits and applications.
20. Prior to the Certificate of Occupancy, the owner/operator shall contact the Fresno County Department of Community Health, Environmental Health System, for required permits, including the Hazardous Materials Disclosure/Registration Program. All hazardous materials shall be handled in accordance with requirements set forth in the California Health and Safety Code.

21. The owner shall identify each building/business on the property with large address numbers.
22. Conditions of approval shall be in conformance of the Site Plan prepared by Thomas A. Lundberg dated 01-20-17 stamped SPR 2017-01, except as may be modified by other conditions of approval.
23. All construction work not contained in SPR 2017-01 scope of work detail shall be by separate plan check and building permit fees.
24. A copy of these conditions must be kept at the business and be shown to any requesting law enforcement officer or City official. A failure to comply with all conditions of approval shall be grounds for the imposition of penalties, and/or suspension of the permit, and/or modification of the permit, or revocation of the permit.
25. The masonry block wall along the alley shall be painted including an anti-graffiti coating.

B. Engineering

1. Prepare Grading and Drainage Plan for review and approval by the City Engineer. Drainage shall be directed to Park Blvd. or Tenth Street. Any drainage directed to the alley will require the installation of a concrete valley gutter to convey storm water to a public street to the satisfaction of the City Engineer.
2. Repair or replace any broken or damaged off-site curb & gutter or sidewalk to the satisfaction of the City Public Works Inspector. Install sidewalk along project frontage, if not existing. Remove the existing handicap ramp at the corner of Park Blvd. and Tenth Street and construct a new ramp to City Standard P-9.
3. Engineering plan check and inspection fees for all on-site and off-site improvements will be required. Plan check fees shall be due upon submittal of the first set of plans or review to the City. Inspection fees shall be due prior to issuance of encroachment permits.
4. Any trenches cut in public streets or alleys shall be backfilled, compacted, and resurfaced in accordance with City Standard P-19.
5. Remove and replace with full structural section any alley pavement that is deteriorated, or missing at the west end of the alley approaching 11th St. Install asphalt paving with base rock from the edge of the existing pavement to the right of way line.

C. Fire Department

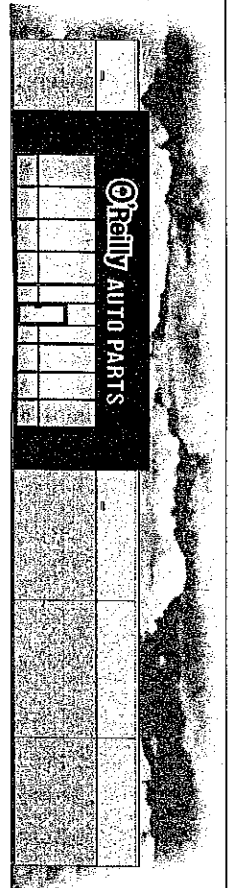
1. Install Knox Box near the front door.
2. Paint the northerly parking lot curb along the planter strip adjacent to Park Blvd. and the southerly curb on the driveway connection to AC Market red and label as "Fire Lane."

3. If fire sprinklers are required for the building, install a check valve, post indicator valve and fire department connection on the fire service line. Install a fire hydrant within 15 feet of the fire department connection.

D. Solid Waste

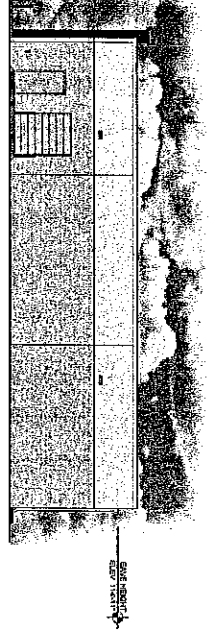
1. Trash Enclosure shall conform to Orange Cove City Standards M-4 and M-5. Install 8-foot wide concrete pad the full length of the trash enclosure to facilitate bin dumping.

TO METAL STUD
 ELEV. 11'-0"
 TO METAL STUD
 ELEV. 11'-0"
 TOP OF FOUNDATION
 ELEV. 11'-0"
 FINISH FLOOR HEIGHT
 ELEV. 10'-0"
 BOTTOM OF FOOTING
 REL. TO FOUNDATION PLAN



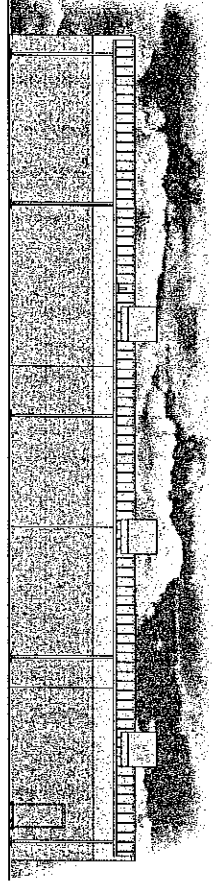
1 NORTH EXTERIOR ELEVATION
 CS1 SCALE: 1/8" = 1'-0"

TO METAL STUD
 ELEV. 11'-0"
 TO METAL STUD
 ELEV. 11'-0"
 FINISH FLOOR HEIGHT
 ELEV. 10'-0"
 BOTTOM OF FOOTING
 REL. TO FOUNDATION PLAN



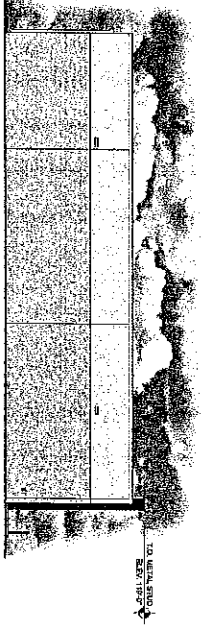
2 WEST EXTERIOR ELEVATION
 CS1 SCALE: 1/8" = 1'-0"

TO METAL STUD
 ELEV. 11'-0"
 TO METAL STUD
 ELEV. 11'-0"
 FINISH FLOOR HEIGHT
 ELEV. 10'-0"
 BOTTOM OF FOOTING
 REL. TO FOUNDATION PLAN



3 SOUTH EXTERIOR ELEVATION
 CS1 SCALE: 1/8" = 1'-0"

TO METAL STUD
 ELEV. 11'-0"
 TO METAL STUD
 ELEV. 11'-0"
 FINISH FLOOR HEIGHT
 ELEV. 10'-0"
 BOTTOM OF FOOTING
 REL. TO FOUNDATION PLAN



4 EAST EXTERIOR ELEVATION
 CS1 SCALE: 1/8" = 1'-0"



CITY OF ORANGE COVE

REPORT TO THE PLANNING COMMISSION

To: Orange Cove Planning Commission
From: Gary D. Horn, City Engineer
Subject: Vesting Tentative Tract Map No. 6116 and Variance No. 2017-01
Attachments: Tentative Map and Resolution

RECOMMENDATION:

We recommend that the Planning Commission adopt the attached Resolution recommending that the City Council approve Vesting Tentative Map No. 6116 for 5 lots and approve Variance 2017-01 for lot width and approve a Categorical Exemption under CEQA.

EXECUTIVE SUMMARY:

The City of Orange Cove developed Phase 1 of Joe Serna Estates having 47 residential lots and 1 lot for a drainage basin. A storm drain pipeline has been installed thus eliminating the need for the basin. This Tentative Map will subdivide the basin lot into 5 residential lots for sale to a home builder and the Variance will allow lot widths to a minimum of 50 feet.

BACKGROUND:

Tentative Map - In 2006 the City of Orange Cove received a housing grant from the State to develop about 11 acres of land into 47 residential lots and one 33,736 square foot lot for a drainage basin. The initial subdivision was Tract No. 5794, Joe Serna Estates I. A storm drain pipeline was installed a couple of years ago to eliminate the need for the drainage basin. The City now desires to subdivide the basin lot into 5 lots for sale as residential lots.

The ultimate use of the property for residential lots was anticipated with the original Tract No. 5794 in that the water and sewer services for individual lots were installed along the frontage of the lot. All of the street improvements have been installed, except for driveway approaches, which should be constructed with the homes so that the approaches will line up with garages.

A six foot tall masonry wall along the south boundary will need to be extended an additional 24 inches to account for the grade differential between Martinez Avenue and the lot grades. Staff has prepared Conditions of Approval for the Tentative Map contained in the attached resolution. Action by the Planning Commission is a recommendation to the City Council, who has final authority.

Variance - The site is designated as Medium Density Residential on the General Plan Land Use Element and is zoned R-1-6 Single Family Residential Zone District. The proposed project

Prepared by: GH

Approved by: 

REVIEW: City Manager: SB

Finance: _____

City Attorney: _____

TYPE OF ITEM:

Commission ACTION: APPROVED DENIED NO ACTION

- _____ Consent
- _____ Info Item
- _____ Action Item
- _____ Department Report
- _____ Redevelopment Agency

- _____ Public Hearing
- _____ Matter Initiated by a Council Member
- _____ Other
- _____ Continued to: _____

complies with the General Plan for land use and Zoning Ordinance, except for the minimum lot width of 60 feet. The original Tract No. 5794 was granted a variance for the lot area less than 6,000 square feet. We assume that variance also include reduced lot width since some of the lots are 50 feet wide. This application is for a variance to allow lot widths to a minimum of 50 feet as well. The proposed lots are 52.5 feet in width, but the final map may contain some variations in dimensions based on a final survey of the land. The proposed lots are over 122 feet deep, so the lot sizes will be about 6,430 square feet.

In order to grant a variance the Planning Commission must make the following findings:

1. *That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this title deprives the subject property of privileges in the vicinity and under identical zone classification.*

Comment: Similar lot widths have been approved for the lots adjacent to the project. The size of the parcels will allow them to meet the 6,000 square-foot minimum size.

2. *That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or the zone in which the property is located.*

Comment: The public welfare or adjacent properties will not be harmed by the granting of this variance. The proposed lots will be identical to the existing lot sizes in the subdivision.

3. *That the granting of such variance will not adversely affect the general plan or the purposes of this title.*

Comment: The granting of the variance would allow for the construction of single family residences. This is in conformance with the General Plan.

We believe that the Planning Commission can make these findings. The action on the variance by the Commission is final, unless appealed to the City Council.

CEQA – the project qualifies for a Categorical Exemption as Class 32 – Infill Development under the CEQA Statutes and Guidelines.

REASON FOR RECOMMENDATION: The tentative tract map conforms to the requirements of the General Plan and Zoning Ordinance.

FISCAL IMPACT: None

ALTERNATIVES: The Commission may take the following actions on each application:

Tentative Map:

1. Recommend approval by City Council with conditions as proposed or as modified by the Commission.
2. Recommend denial to the City Council
3. Continue the item to request additional information from staff.

Variance:

1. Approve as submitted
2. Deny the application.

ACTIONS FOLLOWING APPROVAL:

Tentative Map will go to the City Council for consideration. The Variance application will be final unless appealed to the City Council.

CONFLICT OF INTEREST: None

RESOLUTION NO. PC 2017-02

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ORANGE COVE
RECOMMENDING APPROVAL OF VESTING TENTATIVE TRACT MAP 6116
AND APPROVAL OF VARIANCE APPLICATION 2017-01**

WHEREAS, The City of Orange Cove (City) owns a 0.78-acre parcel of land described as Lot 48 of Tract No. 5794, Joe Serna Estates I, according to the map thereof recorded in Volume 79 of Plats at Pages 69, 70 and 71, Fresno County Records; and

WHEREAS, the City has filed an application for a vesting tentative map to subdivide the existing parcel into five lots, as shown in attached Exhibit "A," and the City has filed Variance Application 2017-01 for a reduction in the minimum lot width to 50 feet; and

WHEREAS, the Orange Cove Planning Commission held a noticed public hearing on the above referenced applications, received staff reports and gave opportunity for public comment; and

WHEREAS, the proposed project qualifies as a Categorical Exemption as Class 32 In-fill Development Projects according to the California Environmental Quality Act Statutes and Guidelines.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission takes the following actions:

1. Vesting Tentative Tract Map No. 6116 as shown in attached Exhibit "A" is recommended for approval to the Orange Cove City Council subject to the Conditions of Approval in attached Exhibit "B."
2. Variance Application 2017-01 is hereby approved and the Planning Commission makes the following findings:
 - A. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this title deprives the subject property of privileges in the vicinity and under identical zone classification.
 - B. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or the zone in which the property is located.
 - C. That the granting of such variance will not adversely affect the general plan or the purposes of the Orange Cove Municipal Code Section 17 – Zoning Ordinance.
3. A Categorical Exemption under the CEQA Statutes and Guidelines is hereby approved for the project.

The foregoing resolution was introduced at a regular meeting of the Planning Commission of the City of Orange Cove held on the 21st day of February, 2017, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

ATTEST:

June Bracamontes, Secretary

EXHIBIT "B"

Engineering Conditions

A. Maps and Plans

1. The subdivider shall have a final tract map prepared, in the form prescribed by the Subdivision Map Act and City of Orange Cove Municipal Code, by a registered civil engineer or licensed land surveyor. The final tract map shall be submitted to the City of Orange Cove, and shall include, but not be limited to, final tract map, drawn at a scale of 1" = 100', the current filing fee, closure calculations, current preliminary title report, legal descriptions and drawings of required dedications, and engineered improvement plans.

2. The subdivider shall submit a set of construction plans on 24" x 36" sheets for all required improvements. These plans shall be prepared by a registered civil engineer, and shall include a site grading and drainage plan and an overall site utility plan showing locations and sizes of sewer and water mains, laterals, manholes, meters, valves, hydrants, etc. All plans shall be approved by the City and all other involved agencies prior to the release of any development permits.

Prior to beginning any construction, or within twenty (20) calendar days after the approved plans are released by the City, the subdivider shall submit to the City Engineer one (1) reproducible and two (2) blueline copies of the approved set of construction plans, and two (2) bound sets of the approved construction specifications, if any.

Within twenty (20) calendar days after all improvements have been constructed and accepted by the City, the subdivider shall submit to the City of Orange Cove Engineering Division one (1) reproducible and (2) blueline copies of the approved set of construction plans revised to reflect all field revisions and marked "AS-BUILT".

B. General

1. The subdivider shall install monuments at all section corners, quarter section corners, angle points, beginning of curves and end of curves on major streets adjacent to the tract.

2. The subdivider shall comply with all conditions set forth in Title 16 of the Orange Cove Municipal Code (Subdivisions).

3. Applicant shall pay all applicable development impact fees at the rate in effect at the time of payment.

4. The subdivider shall furnish security in a sum to be determined by the City Engineer, prior to final acceptance of the off-site improvements by the City, for the guarantee and warranty of the improvements for a period of one year following the completion and acceptance thereof by the City Council.

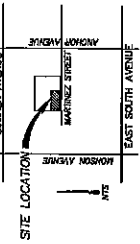
5. The subdivider shall submit a soils report or a waiver of soils report for approval by the City Engineer.
6. The subdivider shall comply with the requirements of the Pacific, Gas and Electric Company (P.G. & E.), Southern California Gas Co., AT & T, and Charter Cable Co. It shall be the responsibility of the subdivider to notify P.G. & E and AT & T to remove or relocate utility poles where necessary.
7. The subdivider shall comply with, and be responsible for obtaining encroachment permits from the City of Orange Cove for all work performed within the City's right-of-way.
8. The subdivider shall install all off-site improvements in accordance with the City of Orange Cove standards and specifications.
9. All existing overhead and any new utility facilities located on-site or within the street right-of-way along the streets adjacent to this tract shall be undergrounded unless otherwise approved by the City Engineer. Utilities to the existing house shall be undergrounded.
10. If the overall subdivision is to be built in stages or phases, then each stage or phase shall have adequate access as required by the Sherriff's and Fire Departments, and the City Engineer. The subdivider shall submit a schedule showing the sequence of development within the area covered by the tentative map.
11. During the site construction, any public streets fronting the project shall be kept clear of any construction or landscaping debris and shall not be used as a storage area for equipment, materials, or other items.
12. In order to provide for reasonable municipal protection during all phases of constructing, the subdivider shall maintain pedestrian and vehicular access to all buildings to the satisfaction of the Fire Department, Sheriff's Department, and City Engineer.
13. The subdivider shall be responsible for all actions of his contractors and subcontractors during the course of any work occurring on the site. The subdivider shall designate, in writing before starting work, an authorized representative who shall have complete authority to represent and to act for the subdivider. Said authorized representative shall be present at the site of the work at all times while work is actually in progress on the subdivision. During periods when work is suspended, arrangements acceptable to the City Engineer shall be made for any emergency work which may be required. When the subdivider or his authorized representative is not present on any particular part of the work where it may be desired to give directions, orders may be given by the City Engineer which shall be received and obeyed by the person or persons in charge of the particular work in reference to which the orders are given. Whenever orders are given to the subdivider's representative or superintendent or foreman to do

work required for the convenience and safety of the general public because of inclement weather or any other such cause, such work shall be done at the subdivider's expense.

**TENTATIVE MAP OF
TRACT No. 6113 - JOE SERNA ESTATES II**
IN THE CITY OF ORANGE COVE, COUNTY OF
FRESNO, STATE OF CALIFORNIA
CONSISTING OF ONE SHEET

LEGAL DESCRIPTION
LOT 48 OF TRACT NO. 5794, JOE SERNA ESTATES I, ACCORDING TO THE MAP
THEREOF RECORDED IN VOL. 72, PAGES 69-71, F.C.A.

VICINITY MAP



SITE LOCATION

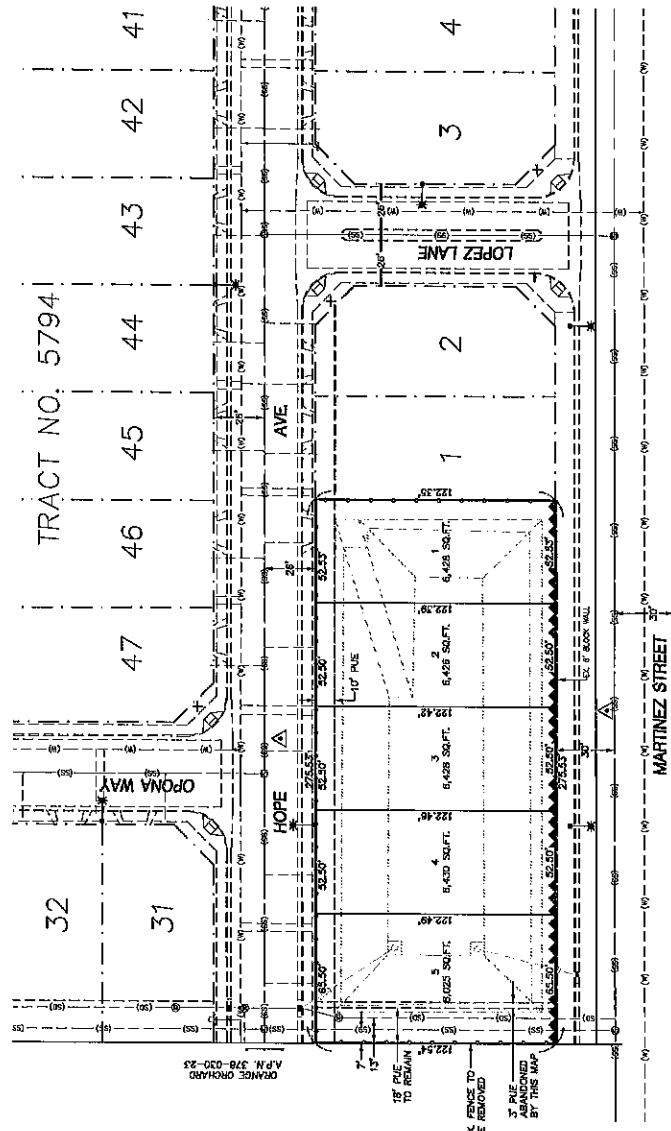


NOTE

1. THIS AREA IS NOT SUBJECT TO FLOOD INDICATION.
2. THERE ARE NO EXISTING UNDERGROUND FEATURES SUCH AS WATER MAINS, SEWER MAINS, GAS MAINS, OR OTHER UNDERGROUND STRUCTURES WITHIN THE PROPOSED SUBDIVISION, EXCEPT AS NOTED.
3. ALL STREETS ADJACENT TO THE BOUNDARIES OF THIS SUBDIVISION HAVE BEEN PREVIOUSLY DEDICATED FOR PUBLIC STREET PURPOSES AND ALL ARE TO REMAIN, (UNLESS OTHERWISE NOTED).
4. THIS SITE IS IN FLOOD ZONE "X" AND IS NOT FLOOD PRONE, PER THE FLOOD INSURANCE RATE MAP.
5. ALL PROPOSED SEWER, WATER, STORM DRAIN, CURB, GUTTER, SUBDRAIN, PAVEMENT, STREET LIGHTS, AND STREET LIGHT SUBDRAINAGE SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF ORANGE COVE STANDARD SPECIFICATIONS.
6. SURROUNDING LAND USES:
NORTH - SINGLE FAMILY RESIDENTIAL
SOUTH - SINGLE FAMILY RESIDENTIAL
WEST - ORCHARD

LEGEND:

- PUE PUBLIC UTILITY EASEMENT PREVIOUSLY OFFERED FOR DEDICATION FOR PUBLIC USE.
- A INDICATES STREETS PREVIOUSLY DEDICATED FOR PUBLIC USE.
- PP POWER POLE
- EXISTING POWER POLE
- EXISTING SANITARY SEWER (SIZE AS NOTED)
- EXISTING WATER (SIZE AS NOTED)
- EXISTING CURB & GUTTER
- EXISTING ELECTRICAL LINE
- INDICATES RELOCATION OF DIRECT VERTICAL ACCESS ROADS.
- EXISTING SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
- INDICATES DIRECTION OF DRAINAGE FLOW
- EXISTING SIDEWALK
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE



PREPARED: JANUARY 18, 2017



**YAMABE & HORN
ENGINEERING, INC.**

2465 N. STATE AVE.
FRESNO, CA 93727
TEL (559) 244-3029
FAX (559) 244-3028