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CITY OF KERMAN PLANNING COMMISSION AGENDA

REGULAR MEETING

DATE: Monday, October 27, 2014
TIME: 6:30 p.m.

Location: City Council Chambers 850 S. Madera Avenue. Kerman, Ca

Materials related to an item on this agenda that are public documents and are submitted after distribution and posting of the agenda are available for public inspection in the Planning Department at 850 South Madera Avenue, Kerman, during normal business hours. Documents that are public documents provided by others during a meeting will be available at the same location during business hours after the meeting.

Note: Individuals needing special assistance in order to participate should contact Olivia Pimentel, Planning Secretary at (559) 846-9386 for assistance prior to the meeting.

Call to Order – Chairman, Robert D. Epperson

Roll Call – Secretary, Olivia Pimentel

Pledge of Allegiance

Approval of Agenda

1.Approval of Minutes

No Meeting August 25, 2014

Minutes of September 22, 2014 submitted for approval

Request to Address Commission

This portion of the meeting is reserved for members of the public to address the Commission on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Commission. ***Speakers shall be limited to (3) three minutes.*** *It is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Commission on items on the Agenda should notify the Chairman when that Agenda item is called, and the Chairman will recognize your discussion at that time. It should be noted that the Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda. Speakers are asked to please use the microphone, and provide their name and address.*

2. Presentation(s)

A. Presentation of Conceptual Plan for Seniors Housing Project

Davis Slajchert of Willow Partners, LLC is proposing to develop a 62-unit senior housing project on a 4.5 acre parcel located at the northeast corner of Siskiyou and Gateway Avenues. Mr. Slajchert will present a conceptual layout of the project for the Commission's review and input before proceeding with a formal application. The site is currently zoned Neighborhood Commercial (C-N)and will require a rezone in order to allow for residential development. A letter from Mr. Slajchert describing the proposed project and a conceptual site plan is enclosed.

3. Public Hearing(s) / Meeting(s)

A. Conditional Use Permit No. 14-02 for a 1,000 square foot detached automated drive-thru car wash in connection with a proposed convenience store and fueling station located in Phase II of the Kerman Crossing Neighborhood Shopping Center (SEC Whitesbridge Road and Kline Street)

Staff recommends that the Planning Commission open the public hearing, take public testimony, close the public hearing and take the following action:

1. Adopt resolution No. 14-04 approving Conditional Use Permit No. 14-02 for an automated drive-thru car wash, subject to conditions of approval.

4. Petitions, Resolutions

A. Residential Design Guidelines

On September 22, staff introduced draft residential design guidelines for single-family and multi-family residential project. Staff revised the guidelines to incorporate the Commission's comments. Staff is asking that the Commission adopt a resolution recommending that the City Council adopt the Residential Design Guidelines.

5. Administrative Reports

Communications

A. Commissioners Comments

Adjournment

AGENDA POSTING CERTIFICATION

I, OLIVIA G. PIMENTEL, Planning Secretary for the City of Kerman, do hereby declare under penalty of perjury that I caused the above agenda to be posted at City of Kerman Planning & Development office at 850 So. Madera Avenue, and at Kerman Community/Teen Center, 15100 Kearney Plaza, and emailed to interested parties on October 24, 2014.

Olivia G. Pimentel
Secretary to the Planning Commission

UNOFFICIAL UNTIL APPROVED

CITY OF KERMAN PLANNING COMMISSION

City Council Chambers 850 S. Madera Avenue, Kerman CA 93630
Minutes Regular Meeting Monday September 22, 2014 6:30pm

Call to Order – Vice-Chairman, Kevin Nehring called meeting to order at 6:35p.m

Roll Call – Secretary, Olivia Pimentel

Commissioners Present: Nehring, Kehler, Melgoza, Harris, Wettlaufer, Bandy

Commissioners Absent: Epperson (excused)

Pledge of Allegiance - performed

Approval of Agenda - Motion by C/Melgoza, second C/Bandy. Unanimously approved as presented (6/0/1 absent).

1.Approval of Minutes Motion by C/Bandy, second C/Kehler. Unanimously approved as presented. (6/0/1 absent)

Minutes of July 28, 2014 submitted for approval

Request to Address Commission - None offered

2. Presentation(s) Performed

A. Proposed Residential Design Guidelines

The Planning Commission reviewed and provided input on the proposed Residential Design Guidelines. Staff presented a power point. Guest speaker Bruce O'Neal consultant for Land Use Associates serving as Circuit Planner under contract with the Fresno Council of Governments (COG) facilitated the presentation and gave a highlighted overview of the proposed residential design guidelines that are intended to assist staff in providing property owners, project designers, and developers with a clear understanding of the City's expectations for new single-family and multi-family residential development. These proposed guidelines will be used as a framework for evaluation and approval of residential projects during the City's plan review process. Guidelines are included for such neighborhood features as:

- Site planning
- Neighborhood connectivity
- Building placement
- Architectural design
- Street trees and landscaping
- Parks and other amenities
- Street lighting
- Fences and walls
- Also standards for roundabouts, light standards, street signs, and multi-unit mailboxes

Some comments included:

C/Bandy inquired about refuse, after some discussion staff will add a standard to require a cement slab for garbage containers behind the side gate of any new residential development.

C/Nehring discussed small lots and need to articulate more in guidelines regarding adequate space for refuse containers.

C/ Wettlaufer inquired about landscaping and specifying the types of trees consistent with the low water useage. Staff noted that an updated list identified types of trees and is included in appendix.

C/Melgoza spoke in support of the proposed guidelines.

Staff will incorporate Commissioner's comments into guidelines and bring back for finalization and to request recommendation to the City Council for adoption of guidelines.

3. Public Hearing(s) / Meeting(s) - None Scheduled

4. Petitions, Resolutions - None Scheduled

5. Administrative Reports

A. Update on Ongoing Projects – Staff provided an update on ongoing projects.

Communications

A. Commissioners Comments

Adjournment

Minutes prepared by:

Olivia Pimentel
Secretary to the Planning Commission

WILLOW PARTNERS LLC

310 N. Westlake Boulevard
Suite 210
Westlake Village, CA
91362
Tel: 805.379.8555
Fax: 805.379.8556

October 9, 2014

Mr. Luis Patlan
City Manager
942 Madera Avenue
Kerman, Ca. 93630

Re: Hacienda Courts Senior Housing

Mr. Patlan,

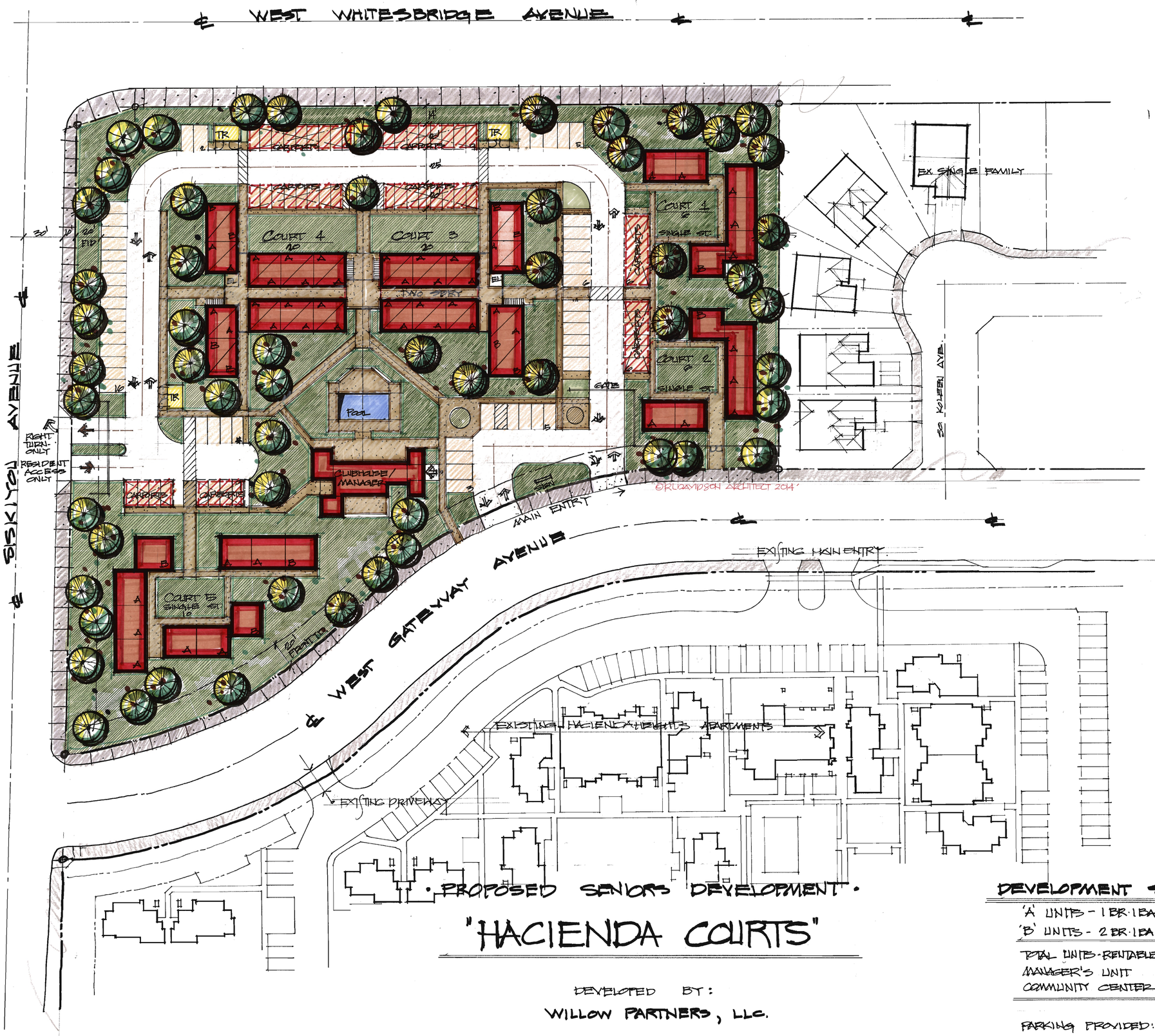
It was good to meet with you the other day. Willow Partners greatly values our relationship with the City of Kerman. We are proud of the Kearney Palms senior housing community we built and continue to operate in town. We are equally proud of the Hacienda Heights family apartments that are on the western side of the city. We appreciate the hard work and support of the city which have allowed us to provide this valuable affordable housing to Kerman's residents. Today we are writing to propose a senior housing development on the corner of Siskiyou and Gateway roads. The site is across from the Hacienda Heights apartments that Willow Partners developed in 2012. We understand the property is currently zoned for commercial development, but as we have discussed the commercial developments that are attracting shopper interest are primarily located to the east of Madera Avenue. We feel the highest and best use for the site would be a gated senior rental community. Additionally, we believe this development would complement the existing housing in the neighborhood and enhance this western entryway into the city.

We would like to have our proposed site plan reviewed at the upcoming Planning Commission meeting for comments and suggestions. As you know, the financing required for an affordable development is complex and time consuming so we would like to get feedback from the Planning Commission so that we can move forward with the project in time to submit for financing early next year.

Again, we greatly value Willow Partners relationship with the city and look forward to providing additional affordable senior housing to the community.

Regards,

Davis Slajchert
Willow Partners, LLC



• PROPOSED SENIORS DEVELOPMENT •

"HACIENDA COURTS"

DEVELOPED BY:

WILLOW PARTNERS, LLC.

DEVELOPMENT STATISTICS:

'A' UNITS - 1 BR·1 BA	49
'B' UNITS - 2 BR·1 BA	13
TOTAL UNITS·RENTABLE	62
MANAGER'S UNIT	1
COMMUNITY CENTER	1800 ± MIN.

PARKING PROVIDED: = 105 STALLS
= 1.70 ST/UNIT
= 1.0 COVERED P/UNIT

R.L. Davidson, Inc.
ARCHITECTS
EST. 1987

7600 NORTH INGRAM, #232
FRESNO, CA 93711
559.435.3303
WWW.RLDAVIDSON.COM

LICENSED ARCHITECT
ROBERT L. DAVIDSON
NO. C8883
REN. 1-31-15
STATE OF CALIFORNIA

NO.	DATE:	ISSUE:
	OCTOBER - 8 - 2014	

SHEET TITLE:

P-1

©

SCALE: 30'

SHEET NO.

PROJECT NO.

City of Kerman

"Community Comes First"

Chair
Robert Epperson

Vice Chairperson
Kevin Nehring

COMMISSIONER
Robert Bandy

COMMISSIONER
Jordan Harris

COMMISSIONER
Gabe Melgoza

COMMISIIONER
Eric Kehler

COMMIISSIONER
Katie Wettlaufer

STAFF REPORT
PLANNING COMMISSION MEETING
October 27, 2014

To: Kerman Planning Commission

From: Luis Patlan, City Manager/Director of Planning

Subject: Conditional Use Permit No. 14-02 for a 1,000 square foot detached automated drive-thru car wash in connection with a proposed convenient store and fueling station located in Phase II of the Kerman Crossing Neighborhood Center (SEC Whitesbridge Road and Kline Street)

Recommendation:

Staff recommends that the Planning Commission open the public hearing, take public testimony, close the public hearing and take the following action:

1. Adopt Resolution No. 14-04 approving Conditional Use Permit No. 14-02 for an automated drive-thru car wash, subject to conditions of approval.

Owner/Applicant:

TBS Holdings, LLC
4917 Genesta Avenue
Encino, CA 91316

Representative:

Robert A. Martinez, Architect & Associates
15487 Seneca Rd., Suite 203
Victorville, CA 92392

Background:

The subject property is a 4.36 acre undeveloped lot located on the southeast corner of Whitesbridge Road and Kline Street (Attachment 'A'). The site was part of a larger two-phased neighborhood commercial retail center (Kerman Crossing Neighborhood Center) approved in 2008. Phase I consisting of 4.11 acres was fully developed and anchored by CVS Pharmacy and AutoZone. A 10,200 square foot medical building for a dialysis center is planned for construction later this year on the remaining pad. Development of phase II was deferred due to the economic recession.

The applicant, TBS Holdings, LLC, recently acquired the subject property and is proposing to develop approximately 29,753 square feet of retail and restaurant uses on five separate parcels (Attachment 'B'). The applicant plans to start the project by developing a 13,500 square foot retail building, a 2,800 square foot convenient store with fueling station and a detached 1,000 square foot automated drive-thru car wash, and a 2,588 square foot Jack in the Box restaurant. Future development includes a smaller 4,500 square foot retail building and a 5,365 square foot restaurant.

Project Description:

The subject site is currently vacant and features a temporary storm drain basin. The project will involve the installation of off-site and on-site improvements to serve the entire site (i.e., street widening, sidewalk, curb, gutter, utility undergrounding, on-site parking stalls, landscaping, etc.). The temporary storm drain basin will be removed and a connection will be made to the permanent storm drain basin in Kiwanis Park.

The proposed 2,800 square foot convenient store includes outdoor public seating, nine covered fueling stations for 18 vehicles, 1,000 square foot detached automated drive thru car wash, covered parking with 4 vehicle vacuum areas, and a propone fueling station (Attachment 'C'). The 1,000 square feet detached automated drive-thru car wash is allowed by way of a conditional use permit.

The applicant is currently negotiating with two possible tenants for operation of the convenient store, fueling station, and automated drive-thru car wash. The type of automated car wash system is not known at this time. Once the tenant is selected, they will be required to provide specifications for the type of automated car wash system to be used prior to the issuance of a building permit. Staff has included several conditions of approval requiring the applicant to submit a stationary noise assessment for the dryers/blowers including noise mitigation measures, installation of an efficient reclaim system for recycling water, and use of environmentally save cleaning agents.

General Information:

Site Location: SEC of Whitesbridge & Kline Street (APN 023-030-53, 54, 55, 56, 57 & 58).

Existing Uses: The parcels are currently vacant with a temporary storm drain basin.

General Plan: Regional Commercial.

Zoning: General Commercial (CG)

Surrounding Uses & Zoning:

Location	Existing Land Uses	General Plan Designations	Zone Districts
North	Self-storage & manufactured home sales	General Commercial	CG
South	Seniors apartments	Multi-family	R-3
East	Auto body repair and auto parts sales	General Commercial	CG
West	Pharmacy and auto parts sales	General Commercial	CG

Discussion:

Staff has reviewed the proposed project pursuant to the General Plan and Zoning Ordinance, as follows:

General Plan Land Use and Zoning:

The site is designed regional commercial on the land use map and zoned general commercial (CG) on the zone map. The general commercial zone district permits a wide range of retail and office uses such as, but not limited, to apparel stores, restaurants, cafes, convenient store, medical and professional offices. The proposed convenient store and fueling station are permitted by right in the general commercial zone district. The automated drive-thru carwash requires a conditional use permit due to operational issues.

Master Site Plan

As reflected in the revised Master Site Plan on Attachment 'D', there are five separate buildings proposed totaling 29,753 square feet on five parcels containing a total of 4.36 acres. One of the parcels located on the northwest corner of the site is for a proposed 2,800 square foot convenient store, outdoor seating area, nine covered fueling islands, 1,000 square feet automated drive-thru car wash, covered vacuum area, and propane refueling tank.

Other proposed uses include a 2,588 square foot Jack in the Box restaurant, a larger 13,500 square foot retail building, a smaller 4,500 square foot retail building and a 5,365 square foot building for a future restaurant use. The development shows a total of 178 standard parking spaces including 13 ADA accessible parking spaces and 23 clean air/van pool parking spaces for a total of 214 parking spaces consistent with the required number of spaces per the CG zone district.

There will be one new driveway along Whitesbridge Road in addition to ingress and egress from Kline Street. The driveways along Whitesbridge Road will only allow for right turn movements into and out of the center. Kline Street will permit left in and left out movements.

Whitesbridge Road will be developed to its full width along the frontage of the property consistent with the curb pattern in phase I immediately west of Kline Street. All above ground utilities fronting the property will be undergrounded as a condition of the development.

Kline Street will be dedicated to the city as a public street. Included in the design of Kline Street is a raised median with landscape treatment consisting of a mix of trees, shrubs, groundcover and accent tips at each end of the median. Decorative stamped concrete pavement treatment is proposed at the intersection of Kline and the east/west entrances to the center as well as within the center parking areas and driveway aprons along Madera and Whitesbridge.

Automated Drive-Thru Car Wash

As reflected in Attachment 'C', the applicant is proposing to install and operate a 1,000 square foot automated drive-thru car wash as an accessory use along with the convenient store and fueling stations.

Circulation

The layout of the overall site will provide sufficient circulation through the property and into the center. As proposed the automated drive-thru car wash will be located at the southwesterly area of the property near the drive isle entrance into the center from Kline Street. Vehicle will enter the car wash through a drive-thru lane from the northerly end of the convenient store. Stacking of up to nine (9) vehicles is provided while the car wash is in use. Vehicles will exit toward the southerly end of the convenient store.

Design

As reflected in Attachment 'D', the proposed car wash features a functional rectangular design to accommodate its specific use with façade materials that consist of stucco, a decorative cornice, and architectural pop outs with stone veneer to match the building design for the proposed convenient store.

Signage

A Master Sign Program was approved for the Kerman Crossing Neighborhood Center emphasizing sign criteria for installation of signage in the center. As presented, the automated car wash building will not include signage. A condition of approval has been included requiring the applicant to submit a sign review application for all building signs, directional signage for the car wash, as well as for the designated vacuum and drying stations.

Hours of Operation

According to the Operational Statement provided by the applicant enclosed herein as Attachment 'D', operation of the convenient store, fueling station, and drive-thru car wash will be open twenty-four (24) hours, Monday through Sunday. There is currently no convenient store, fueling stations, or car wash open twenty-four (24) hours.

Conditional Use Permit

Due to operational characteristics, conditional use permits are required for certain uses within each zone district in order to minimize impacts upon surrounding uses. In considering a conditional use permit, the Planning Commission must make certain findings, as follows:

1. That the location, size, design, and operating characteristics of the proposed uses are compatible with the existing and known future uses and will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

   Analysis: The proposed project is located on a 4.36 acre parcel that is designated regional commercial on the land use map and zoned for general commercial on the zone map. The proposed convenient store with fueling station, drive thru car wash, covered car vacuum area, and propane refueling station are uses consistent with the general plan and zoning ordinance, subject to conditions of approval, and will be compatible with existing and proposed uses on the site. The use is appropriately located with access via one major arterial road (Whitesbridge Road) and one local street (Kline Avenue). The use is functionally and physically compatible with surrounding uses. An existing 7 foot masonry block wall is located along the southern property line to minimize any noise impacts associated with the use.

2. That the proposed use in substantially is consistent with the Kerman General Plan and Zoning Ordinance.

   Analysis: The proposed project is designated regional commercial on the land use map and zoned general commercial on the zone map.

3. That an environmental review was conducted and a determination was made that the proposed development will not have a significant impact on the environment.

   Analysis: The proposed use was determined to be exempt from the California Environmental Quality Act (CEQA) as an in-fill development pursuant to Section 15311, Class 32 of CEQA Guidelines. The site is less than five acres in size and the project is consistent with the general plan and zoning ordinance, and can be served by existing utilities.

4. That the subject site is physically suitable for the type and intensity of use being proposed.

   Analysis: The site is an in-fill lot with access to an arterial road (Whitesbridge Road) and a local street (Kline Street) and can be served by all existing utilities and public services. The site is phase II of a previously approved and developed neighborhood center. The development of the site will include additional access points along with off-site street improvements for proper egress and ingress and traffic generated by the proposed development.

Environmental Review:

Pursuant to California Environmental Quality Act (CEQA) Guidelines, this project is categorically exempt from CEQA per Section 15332 (In-fill Development Projects). The project is located within the city limits on a site less than 5 acres that is consistent with the general plan and zoning ordinance and the site can adequately be served by all required utilities and public services.

Public Hearing:

Conditional use permits require that a public hearing be published in the local paper and that a notice be sent to abutting properties within 300' radius from the subject property. A public hearing notice was published in the Kerman News and a notice was mailed to adjoining properties within 300 feet of the property pursuant to Section 17.10.20 of the Kerman Municipal Code. As of the date of this report, staff did not receive any phone calls, emails or correspondence from adjacent property owners or members of the public raising any concerns with proposed project. Any objections or comments received after the posting of this staff report will be presented to the Planning Commission at the public hearing on October 27, 2014.

Alternate Action:

The Planning Commission may modify the conditions of approval or deny the request for a conditional use permit.

Attachments:

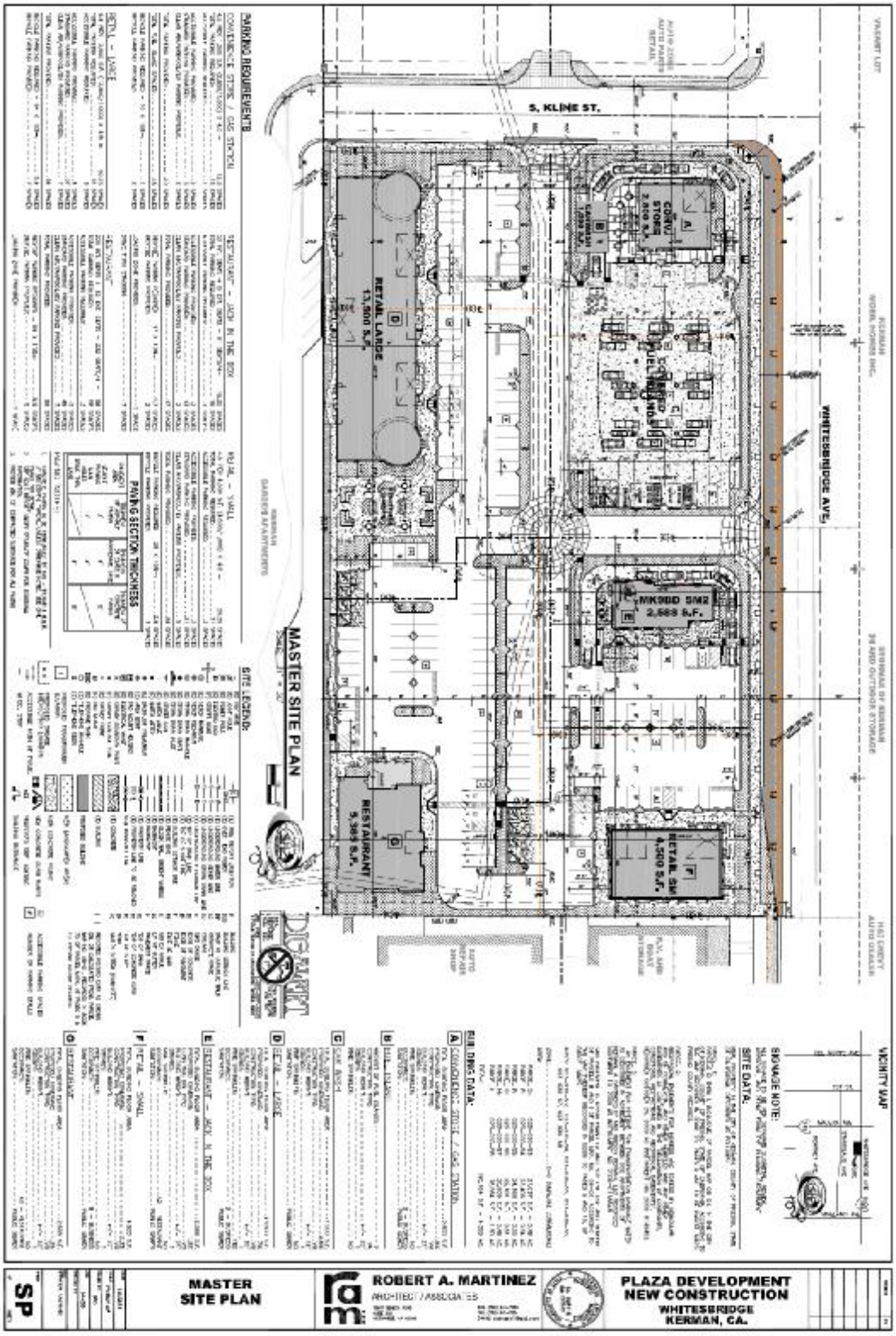
A. Aerial of Site
B. Master Site Plan
C. Convenient Store with Car Wash
D. Operational Statement
E. Car Wash Floor Plan & Elevations
F. Front Elevation of Convenient Store
G. Resolution with Conditions of Approval

Attachment 'A'

Aerial of Site

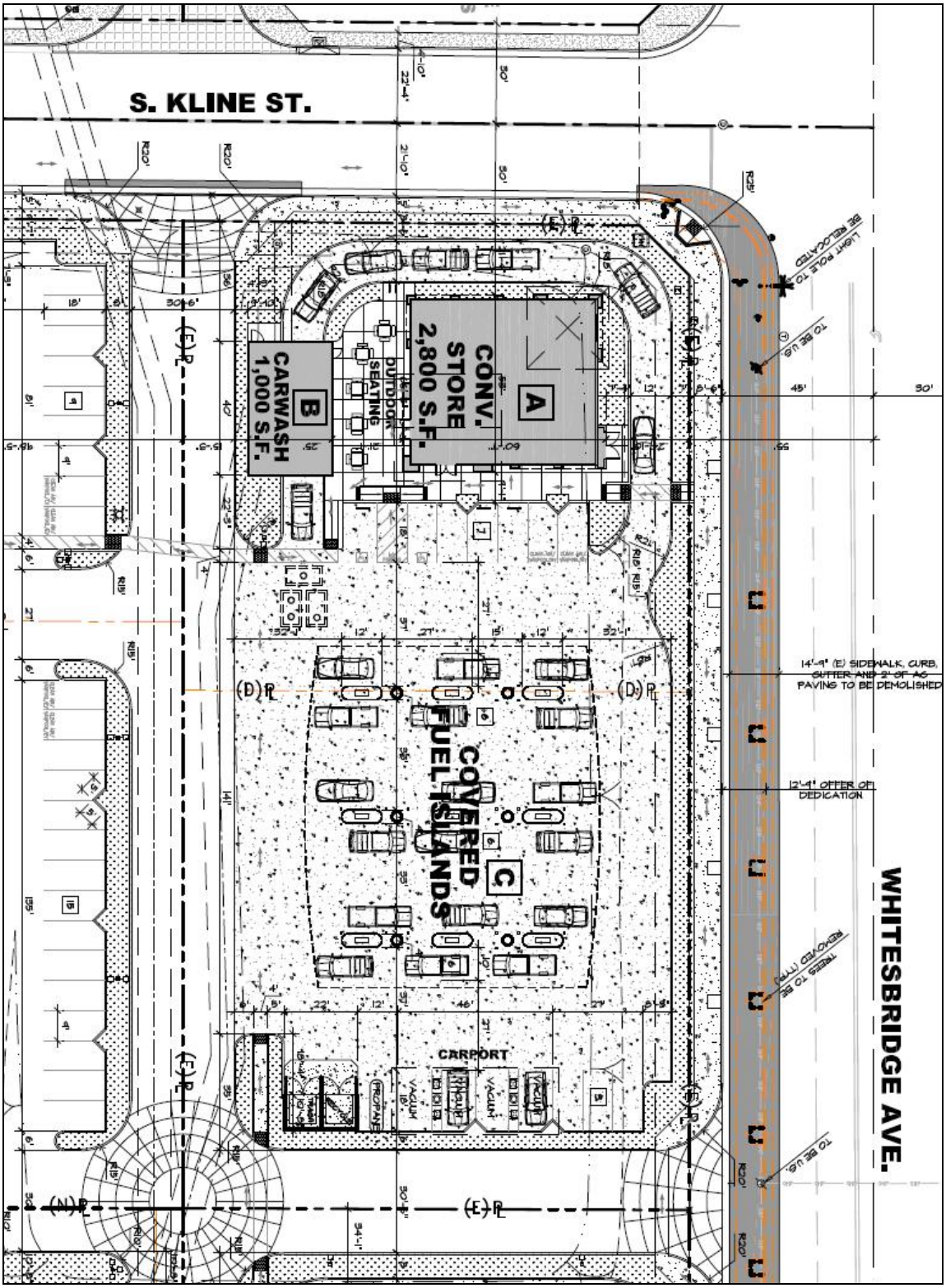
Attachment 'B'

Master Site Plan



Attachment 'C'

Proposed Convenient Store with Drive-Thru Carwash



Attachment 'D'

Operational Statement

(760) 241-7858
Fax (760) 241-7854

Robert A. Martinez, Architect E-Mail: Ricardo.Cazares@ram-architecture.net.com

Architecture • Planning • Engineering • Construction Administration

OPERATIONAL STATEMENT

(PAGE 1 OF 4)

Ms. Olivia G. Pimentel, Planning Technician
City of Kerman
Planning & Development Services
850 S Madera Ave
Kerman, CA 93630

October 22, 2014

Dear Ms. Pimentel,

Fresno Foods, LLC will be developing Phase II (of SPR-07-19) portion of this development and specifically, will operate the proposed Jack in the Box (JIB) Restaurant at Whitesbridge Rd & Madera Ave. The Jack in the Box (JIB) will be operated in accordance with all applicable Laws, Rules and Regulations, as well as all required Policies and Procedures as a Franchise for JIB, Inc.

Fresno Foods, LLC owns and operates 23 JIB Restaurants in the Fresno metropolitan area, additionally, these companies own and operate 26 JIB restaurants in the Los Angeles area and 10 more in the Redding/Chico area, in total, they own and operate 59 JIB restaurants.

The President for Fresno Foods LLC companies is Mr. Ben Nematzadeh. He has been a Franchisee of JIB since 1989, prior to that, he held various management positions with Jack in the Box, Inc. (from 1982 to 1989), in addition to being the Franchise Operator of 59 restaurants mentioned above, he is also a partner in a company that owns and operates 17 JIB restaurants in the Central Coast (Santa Barbara to Paso Robles).

As Director of Operations for Fresno Foods, LLC and Chico Foods, LLC, Mr. Asheet Sharma has been in the JIB system since 1990 (in various management and training positions with JIB Inc.), and with Mr. Nematzadeh since October of 2012.

The District Manager in charge of the restaurant, Mr. Shawn Wallestad, has been in the JIB system since January of 1991 and with Fresno Foods LLC as a District Manager, since May of 2010.

This restaurant will be staffed with a "ServSafe" certified Manager, a "ServSafe" certified Assistant Manager and six "Food Safety" certified Team Leaders.

15487 SENECA ROAD • SUITE 203 • VICTORVILLE, CA 92392

Attachment 'D' (continued)

Operational Statement

(760) 241-7858
Fax (760) 241-7854

Robert A. Martinez, Architect E-Mail: Ricardo.Cazares@ram-architecture.net.com

Architecture • Planning • Engineering • Construction Administration

Prior to the restaurant opening, all general employees will be trained and certified in their respective positions, at several of our existing Jack in the Box Restaurants in Fresno.

This site is located at the Highway 180 and Madera Avenue intersection and is Phase 2 of a previously approved Site Plan SPR-07-19 (which is a highly traveled location). For this reason the restaurant plans to operate on a 24 hour basis, with Dining Room open from 6:00 am to midnight every day. Please also note; that in as much as the owners are negotiating with various "pad users" there is no specific information regarding operations for same.

Building cleaning and maintenance will be done by trained restaurant staff, landscaping will be maintained by the contractor currently maintaining our other 23 Restaurants in Fresno.

Please contact me if further details are needed,

Sincerely,

Robert A. Martinez, AIA, CASp, CASI

Attachment 'D' (continued)

Operational Statement

(760) 241-7858
Fax (760) 241-7854
Robert A. Martinez, Architect E-Mail: Ricardo.Cazares@ram-architecture.net.com
Architecture • Planning • Engineering • Construction Administration

OPERATIONAL STATEMENT (CONTINUED)

Project Site Address: Whitesbridge Rd & Madera Ave

Project A.P.N's.: 023-030-53, 54, 55, 54, 57 & 58

Existing General Plan Land Use Designation: Community Shopping Center

Existing Zone District: C-2

Sanitation: Public Sewer

Related Projects: Site Plan Approval-SPR-07-19
Resolution No. 08-24

Site: This project is Phase 2 of previously approved Site Plan approval-SPR-07-19. This site consists of six separate unimproved lots with frontage to Whitesbridge Road. This new location would be a valued addition to the already existing diverse community of commercial businesses.

Phase 1 (for this project):

Convenience Store - 2,800 s.f., occupancy B, type VB construction, single story, 27' high building. Accessory uses will consist of a covered fuel island with 9 pumps a 1,000 s.f. carwash, a drive thru and covered parking with 4 vehicle vacuum areas for the carwash, an outdoor public seating area, and a propane refueling station. Hours of operation will be 24hrs, Monday – Sunday.

Retail / Office Building - 13,500 s.f., occupancy B, type VB construction, single story, 30' high building. Fully Sprinklered with five vanilla shell suites. East of the proposed building will contain a pedestrian garden and seating area. Hours of operation will be 8am – 10pm Monday - Sunday

Restaurant - 2,588 s.f., occupancy A2, Jack in the Box Restaurant, type VB construction, single story, 25' high building with drive-thru. The restaurant will have 53 interior dining seats and 8 exterior seats. Please also see cover page of this Operational Statement for information provided by operator. It is expected that this site will accommodate up to 321 daily customers, 60% of which will use the convenience of the drive-thru. The restaurants use 24 hour (6 day tape) surveillance.

15487 SENECA ROAD • SUITE 203 • VICTORVILLE, CA 92392

Attachment 'D' (continued)

Operational Statement

(760) 241-7858
Fax (760) 241-7854
Robert A. Martinez, Architect E-Mail: Ricardo.Cazares@ram-architecture.net.com
Architecture • Planning • Engineering • Construction Administration

Phase 2:

Retail building - 4,500 s.f., occupancy B, type VB construction, single story, 27' high building with two vanilla shell suites. Hours of operation will be 8am – 10pm Monday – Sunday.

Restaurant (Retail) – 5,365 s.f., occupancy A2, Sit Down Restaurant, type VB construction, single story, 25' high building. The restaurant will have 200 interior dining seats and 32 exterior seats in an enclosed outdoor patio. Hours of operation will be 11am – 1pm Monday – Sunday.

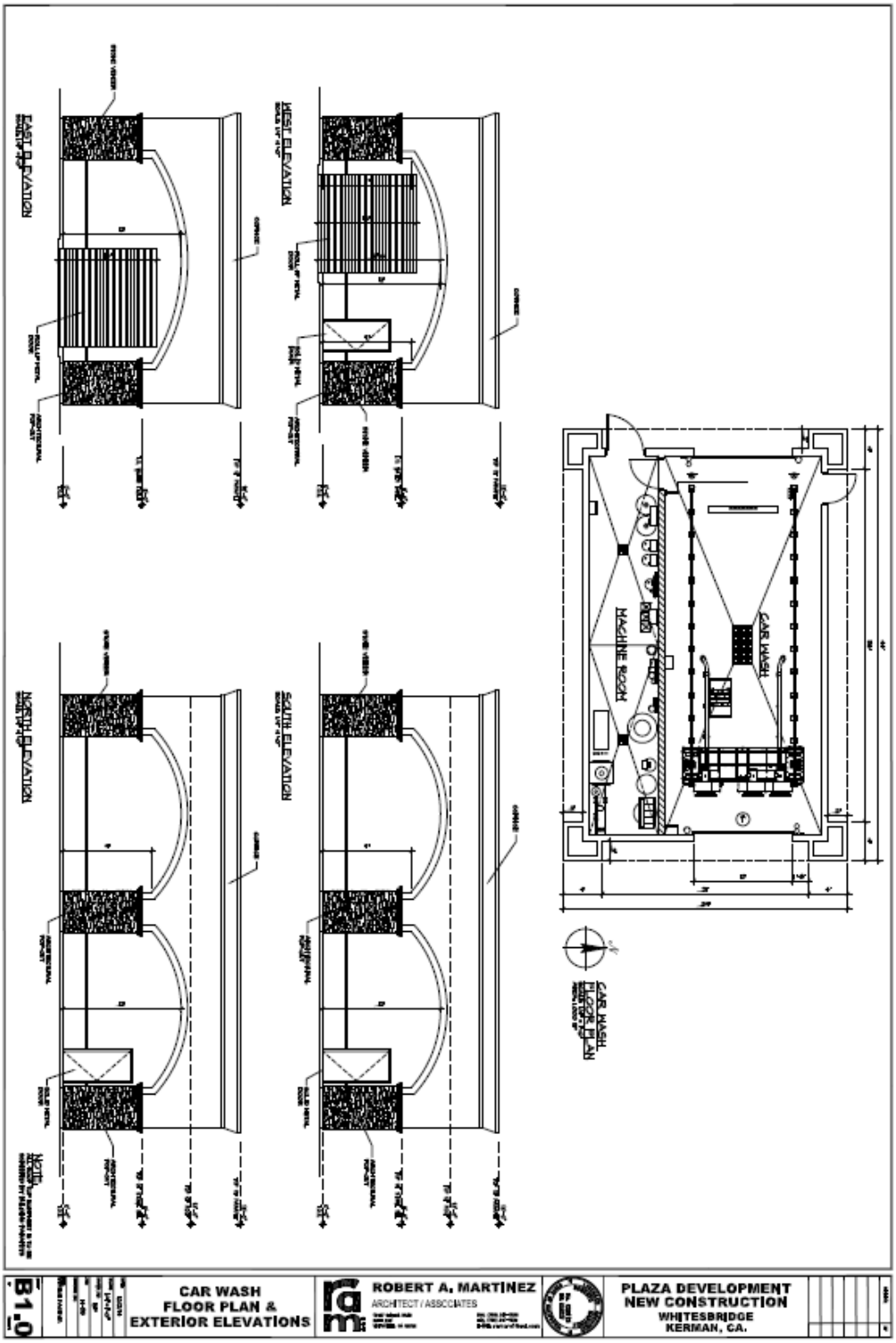
How the proposal helps implement the General Plan: The General Plan in part provides the blueprint for the growth of the city by outlining zone districts city wide, creates a planning tool which is efficient and responsive to citizens' needs and provides requirements in order for developments to meet state and local planning and zoning laws. The proposed development improves the quality of life for citizens of Kerman by revitalizing the neighborhood and adding casual retail and dining restaurants and constructing a development that would allow interaction between surrounding citizens and the new development. In addition the development will be managing growth by constructing a development that is consistent with land use density and size and by constructing new buildings with improved visual image that will complement the neighborhood and developing healthy, proven businesses that will allow for employment of different level skills.

Foreseeable effects from construction and/or operation of the site that may impact the neighbors: The construction will provide construction jobs for as many as 25 different trades (i.e. plumbing, concrete, electrical, HVAC, framing, roofers etc.). This will have a positive financial effect during the duration of construction. After completion of construction, there will be a potential for different levels of employment including employment for neighboring citizens.

Security Measures: Site will consist of good lighting inside and out. Should it become necessary, the site will be monitored by contracted security personnel.

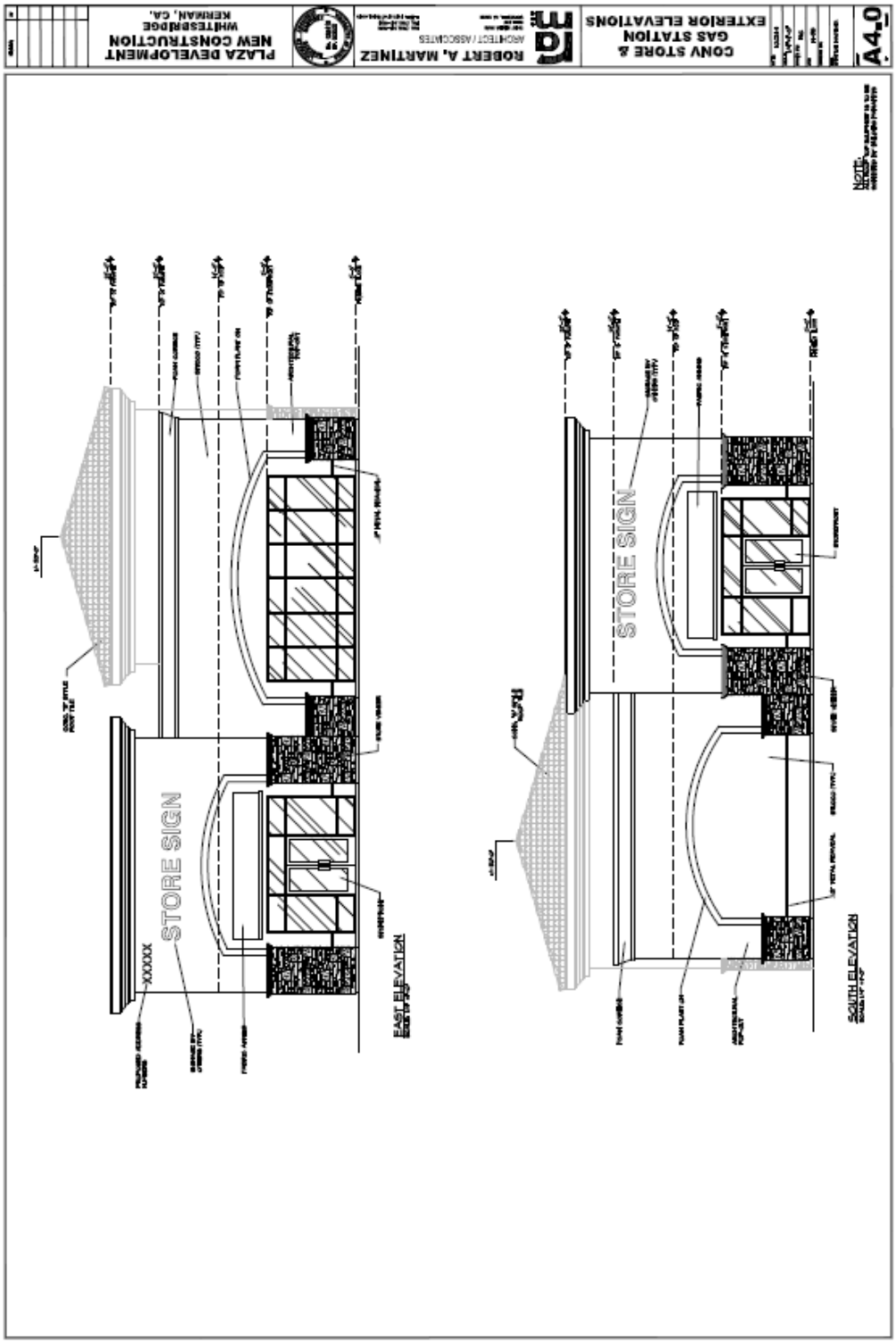
Attachment 'E'

Building Elevation – Car Wash



Attachment 'F'

Front Building Elevation of Convenient Store



Attachment 'G'

Resolution No. 14-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KERMAN APPROVING A CONDITIONAL USE PERMIT (CUP 14-02) FOR A CAR WASH WITH DRIVE THRU IN THE PLAZA DEVELOPMENT (APN 023-030-53 & 54)

WHEREAS, TBS Holdings, LLC has applied for a conditional use permit (CUP) to establish and operate a 1,000 square foot automated drive-thru car wash as an accessory use to a proposed convenient store with fueling station in the Kerman Crossing Neighborhood Center located at the southeast corner of Whitesbridge Road and Kline Street; and

WHEREAS, car washes are permitted in the general commercial zoned district by way of a conditional use permit pursuant to Section 17.48.030 of the Kerman Municipal Code; and

WHEREAS, the project is categorically exempt from environmental review per Section 15311, Class 32 of CEQA Guidelines (In-fill Development), and

WHEREAS, a public hearing was conducted by the Planning Commission on October 27, 2014, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this conditional use permit request; and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance and operation for the requested use and building would be consistent with the General Plan and not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Kerman does hereby approve Conditional Use Permit No. 14-02, subject to conditions of approval listed in Exhibit 'A'.

I HEREBY CERTIFY that the foregoing Resolution was approved at a regular meeting of the Planning Commission of the City of Kerman on the 27th day of October, 2014, and was fully adopted at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Robert D. Epperson, Chairperson

ATTEST:

_____

Olivia Pimentel, Secretary

Exhibit 'A'

Conditions of Approval

General Conditions

1. The site plan and building elevation drawings as shown in Attachment 'A', consisting of sheets SP, SP1, A4-0 and A4-1, B1.0, and C1.0, prepared by Robert A. Martinez Architect/Associates, dated October 2, 2014, shall be revised as appropriate to reflect all conditions of approval and plans shall be resubmitted to the Planning Department for final review and approval by the Planning Director prior to the issuance of a grading permit. Full compliance with conditions of approval shall be achieved prior to issuance of any Certificates of Occupancy or as modified by the Director (Planning).

2. In addition to the conditions listed herein, the project shall comply with all conditions of approval for the Kerman Crossings Neighborhood Center contained in Administrative Resolution No. 08-02 or as amended.

3. Conditional Use Permit No. 14-02 is valid for a period of one (1) year from the approval date (October 27, 2015). Any extension of time shall be submitted in writing thirty (30) days prior to permit expiration, which shall be presented to the Planning Commission for their consideration.

4. The applicant shall submit a separate application for an amendment to the approved site plan and lot line adjustment for the subject site.

5. That this approval is expressly granted to TBS Holdings, LLC for the car wash and is not transferable unless and until the new owner/operator submits a letter to the City's Director of Planning Development Services wherein said owner/operator states he has read, understands, and agrees to the conditions of approval of Conditional Use Permit No. 14-02 and Administrative Resolution No. 08-02.

6. Pursuant to Government Code Section 66474.9, the applicants (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Kerman and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attach, set aside, void, or annul the City's approval concerning this application, which action is brought within the time period provided for in Section 55499.37. The City will promptly notify the applicants of any such claim action or proceeding and cooperate fully in the defense.

Engineering Division (General Conditions)

7. The developer shall submit the following for the Lot Line Adjustment: legal descriptions of the existing and proposed parcels, a diagram showing the existing and proposed parcels, including all existing easements, and a Preliminary Title Report showing current ownership and not more than 60 days old.

Engineer Division (Streets)

8. Install all improvements in Whitesbridge Road and Kline Street as per the conditions of approval for the Kerman Crossing Neighborhood Center contained in Administrative Resolution No. 08-02 or as amended.

Engineering (Grading & Drainage)

9. Install all improvements in Whitesbridge Road and Kline Street as per the conditions of approval for the Kerman Crossing Neighborhood Center contained in Administrative Resolution No. 08-02 or as amended.

Engineering Division (Sewer)

10. Install all improvements in Whitesbridge Road and Kline Street as per the conditions of approval for the Kerman Crossing Neighborhood Center contained in Administrative Resolution No. 08-02 or as amended.

Public Works

11. All separate buildings or units must have their own water meter and be plumbed separate from the other buildings or units unless the owner of the building pays for all city utilities within the structure.

12. All commercial water services must have a pressure backflow device per City of Kerman Standards and must be tested and certified by a certified backflow device tester prior to issuance of certificate of occupancy.

13. The car wash shall be equipped with a grease trap, pressure backflow device, water meter and recirculating system.

Planning Division (General Conditions)

14. Failure to abide by and faithfully comply with any and all conditions attached to the granting of this conditional use permit shall constitute grounds for revocation of said site plan approval by the Planning Commission. If operation of this use results in conflicts pertaining to parking, noise, traffic, or other impacts, at the discretion of the Director, this conditional use permit may be referred to the Planning Commission for subsequent review at a public hearing. If necessary, the Commission may modify or add conditions of approval to mitigate such impacts, or may revoke said conditional use permit bound upon applicable findings.

15. Prior to the commencement of any work within the City of Kerman, the general contractor and all sub-contractors shall obtain a business license from the Finance Department.

16. The applicant shall at all times during the operation of the car wash maintain the site clean and fee of any trash or debris. The owner/operator of the car wash shall clean property within 24 hours of notice given by the City of Kerman.

17. Applicant shall within 24 hours remove any graffiti, paint or other markings on the any of the proposed structures upon notification by city staff.

Planning Division (Architecture)

18. Roof-mounted heating and air conditioning units or other mechanical equipment shall be set back from the roof edge, placed behind a parapet or in a well so that they are visually screened from public view. Screening for roof-mounted equipment shall be integrated into the building and roof design and use compatible materials, colors and forms. Wood lattice or fence material is prohibited for screening.

19. All meters, valves, pipes and any other mechanical /plumbing/electrical appurtenances on the building exterior with the exception of the roof latter shall be painted and/or textured to match the building color.

20. The color palette for the car wash building shall be consistent with the overall color scheme of the convenient store and other buildings in the center.

Planning Division (Car Wash)

21. The applicant shall obtain a Car Washing and Polishing Certificate through the California Department of Industrial Relations and show proof to the Planning and Development Department that such a certificate was obtained prior to the issuance of certificate of occupancy.

22. The operator of the automated car wash shall submit specification of the type of automated car wash system to be installed including reclaim system and number of dyers/blowers.

23. The carwash cannot be operated until a professional noise consultant, approved by the City, can verify that the maximum noise levels of the carwash blowers after installation, does not exceed noise levels outline in Table 20 of the Noise Element of the General Plan.

24. The type of automated car wash system must include the most efficient reclaim system on the market in order to recycle as much fresh water as possible.

25. The automated car wash shall use environmentally save cleaning agents and provide a list of the cleaning agents to the Planning Director prior to issuance of a building permit.

Planning Division (Signage & Lighting)

26. On-site signage shall be allowed in accordance with the approved Master Sign Program for the Kerman Crossing Neighborhood Center. The applicant must submit a sign review application for all building signs, directional signage for the car wash, as well as for the designated vacuum and drying stations. All signs must be in compliance with the Sign Ordinance and Sign Design Guidelines. The tenant wall signs with individual letters, internally illuminated, mounted parallel/flush with the building wall are encouraged. Cabinet (box type) signs are to be discouraged.

27. An on-site lighting plan shall be provided for review by the Planning Director prior to issuance of building permit. All outdoor lighting shall be hooded (glare shielded) and arranged in such a manner as to not create glare onto adjacent streets or properties. All fixtures shall be of a design that is attractive and architecturally compatible with the design of the building. Such lighting shall be maintained in operating conditions at all times. Glare-shielded recessed type lighting shall be provided under the sofit overhang above the tenant storefronts. Glaring wall-pack type lighting shall not be used.

Planning Division (Landscaping)

28. Landscape plans for the project shall be consistent with approved landscape plans for the Kerman Crossing Center as part of Administrative Site Plan Review No. 07-19 and Administrative Resolution No. 08-02.

29. The developer shall provide four (4) copies of complete landscape and irrigation plans for planting/re-planting and permanent irrigation system for development of the site to the Director of Planning and Development for review and approval.

30. A minimum 3 foot hedge shall be installed along the perimeter of the drive-thru lane to screen vehicles from public view.

END OF CONDITIOINS

APPLICANT'S ACKNOWLEDGMENT

I have read, understand, and accept the conditions of approval set forth herein above in this resolution of approval for Conditional Use Permit No. 14-02.

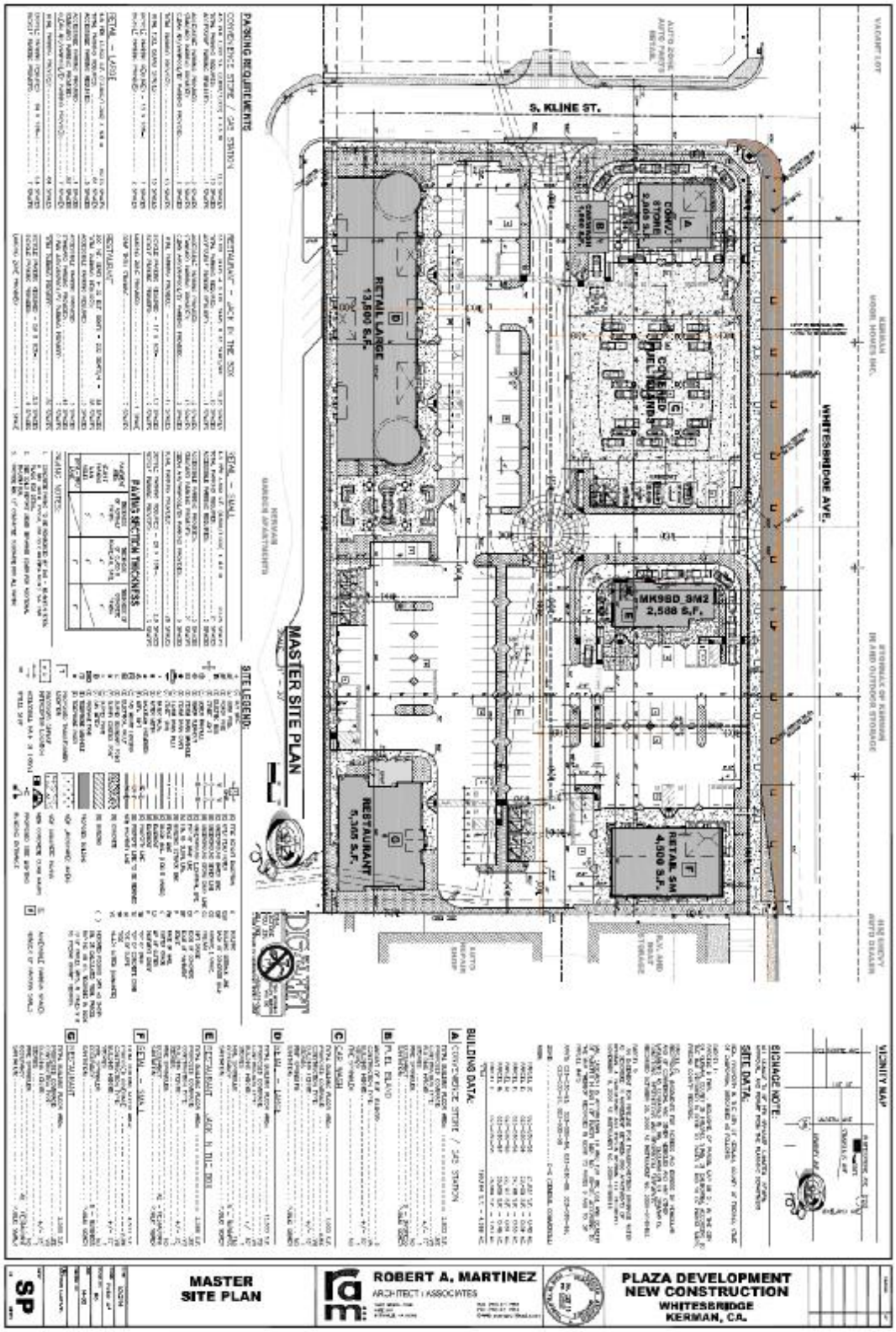
_____	_____
Date	TBS Holding, LLC Applicant/Agent

Attachment

A. Revised Master Site Plan
B. Building Elevations – Convenient Store
C. Building Elevations – Car Wash

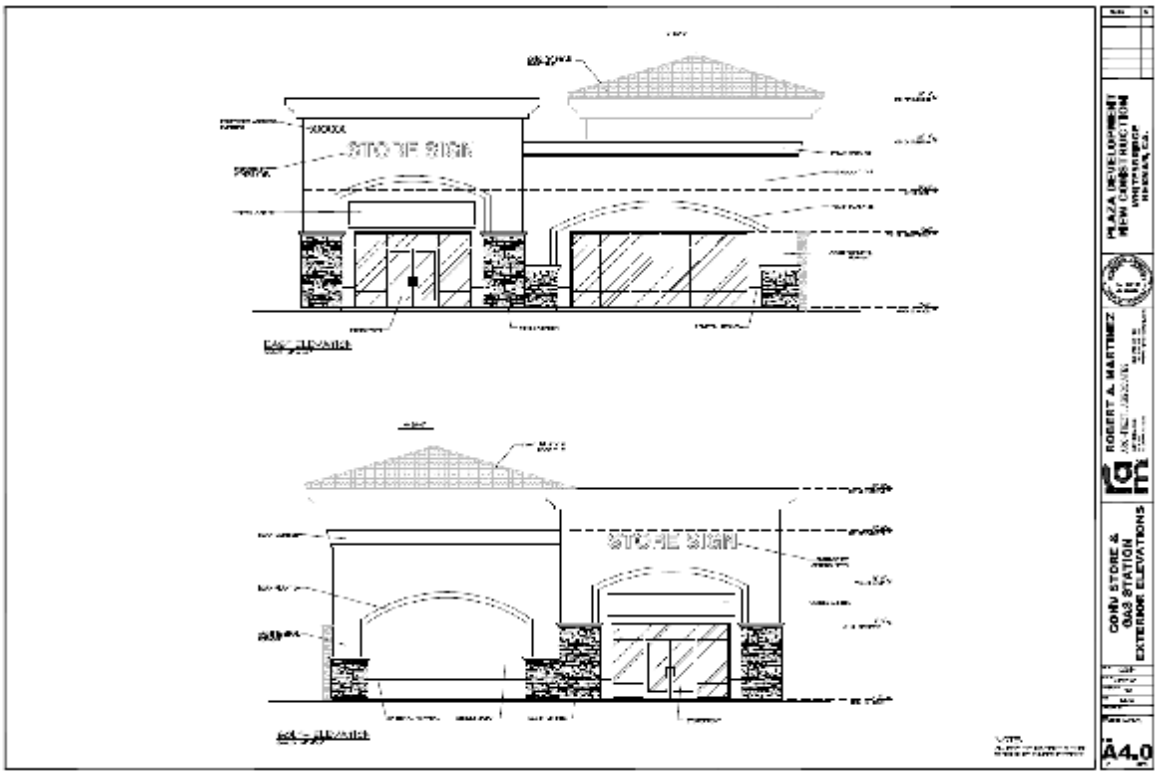
Attachment 'A'

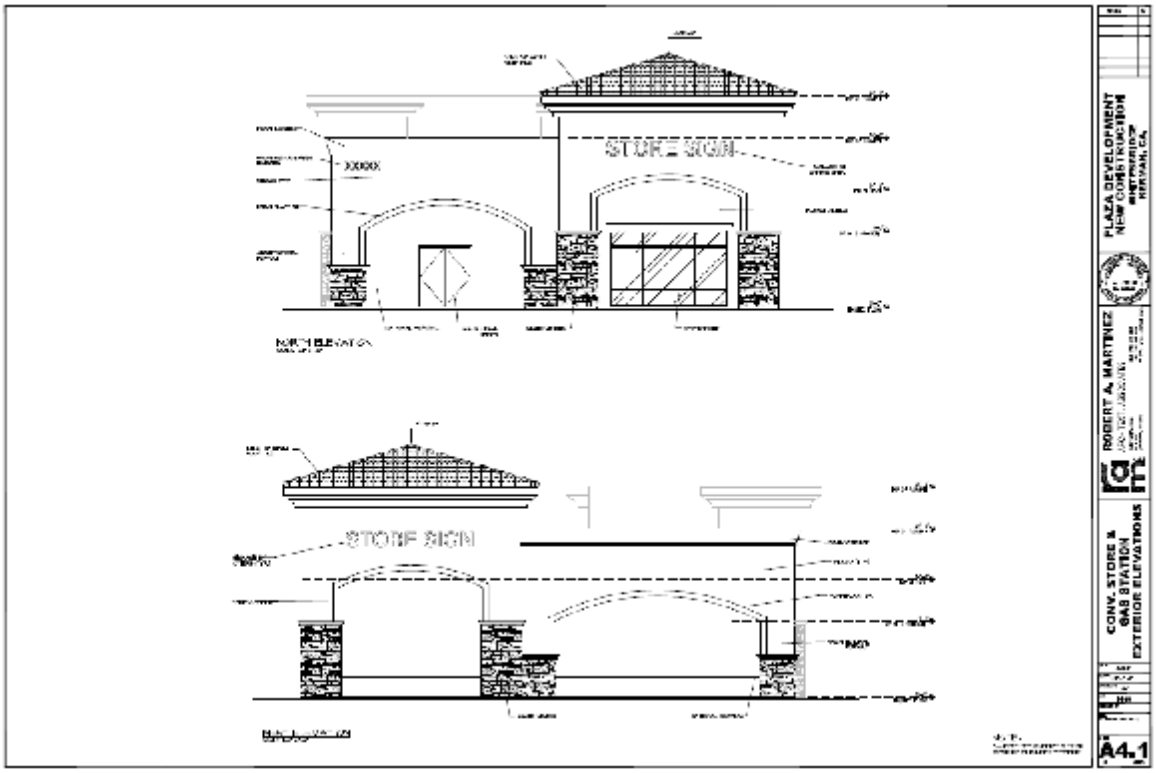
Revised Master Site Plan

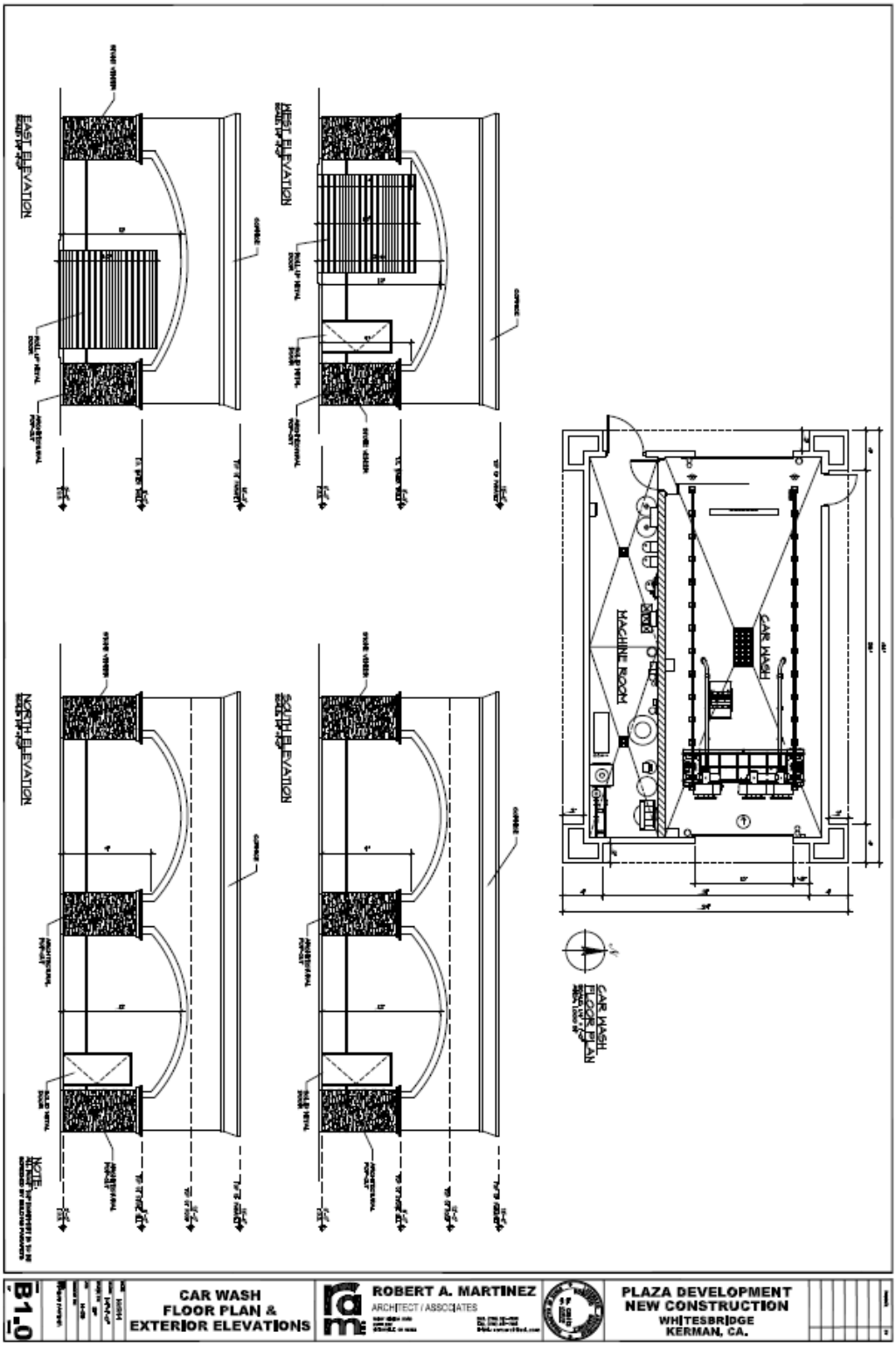


Attachment 'B'

Building Elevations – Convenient Store





Attachment 'C'

Building Elevations – Car Wash