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CITY OF KERMAN PLANNING COMMISSION

AGENDA

REGULAR MEETING

DATE: Monday, July 28, 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

Submit Minutes of June 23, 2014 for review and 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) - None Scheduled

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

A. Tentative Parcel Map 14-01, Avila E Street Lots

As detailed in the staff report an application was received for a tentative parcel map to subdivide a 1.0-acre parcel into four (4) residential lots ranging in size from 8,400 sq.ft. up to 15,000 sq.ft. The subject property is located on the southeast corner of E Street and Siskiyou Avenue.

4. Petitions, Resolutions – None Scheduled

5. Administrative Reports – None Scheduled

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 July 24, 2014.

Olivia G. Pimentel
Secretary to the Planning Commission

CITY OF KERMAN PLANNING COMMISSION

City Council Chambers 850 S. Madera Avenue, Kerman, CA 93630

Minutes Regular Meeting Monday June 23, 2014, 6:30pm

Call to Order – Vice-Chairman, Kevin Nehring, Called Meeting To Order at 6:33pm

Roll Call – Secretary, Olivia Pimentel

Commissioners-Present: Nehring, Kehler, Wettlehaur, Melgoza, Harris, Epperson (6:40p.m),

Commissioners Absent, Bandy (unexcused)

Pledge of Allegiance – performed

Approval of Agenda – C/Melgoza, made a motion to approve as presented, second C/Harris, unanimously approved as presented. (5/2/0) (Bandy, Epperson absent)

1. Approval of Minutes C/Kehler made a motion to approve minutes of April 28, 2014 as presented, second C/Harris, unanimously approved as presented (5/2/0) (Bandy Epperson absent)

Request to Address Commission – None offered

2. Presentation(s) None Scheduled

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

4. Petitions, Resolutions None Scheduled

5. Administrative Reports

A. Proposed Kerman Inn Mural Project

Staff is soliciting input from the Planning Commission on the proposed Kerman Inn Mural Project. Artist Claudia Fletcher prepared a sketch of the Kerman Inn to be located on the building wall behind the Chamber of Commerce office facing the Sebastian parking lot. Parks & Recreation Director Philip Gallegos (Staff) presented a power point presentation on the concept.

Staff requested the Planning Commission's input and support for this mural project. There are several murals in town; staff noted that the murals on the north and south entrance to the City are on panels mounted to bill boards. The proposed mural is a 25' x 25', the wall is 73' x 24'. There will be room for future murals on the both sides of the mural. Staff gave the history of each mural. The first mural was painted directly on the wall of the old valley food center and is maintained as needed. C/Nehring, asked what the artist preferred, what was the best cost effective method, on panels or directly on wall. Staff noted that panels would be best primarily because the artist would be able to work on the mural in their studio and if for any reason the building is no longer available for the mural, the mural could be taken off and relocated

Note: C/Epperson, arrived at 6:40 p.m during presentation

C/Nehring inquired whether an agreement would be signed for an easement or lease? Staff said that could be done and would be if the Commission desired. Staff noted that the property owners of the proposed mural is Sebastian and they have been approached and are supportive of the mural.

C/Epperson, recommended that a condition be placed that would allow the mural panels to be removed and replaced, if vandalized to allow for maintenance, etc C/Melgoza, spoke in support of the mural that it was important to remember our history. There were no other comments the Commission was in unanimous support of the proposed mural.

B. Project Update

Staff gave a brief update of ongoing projects in Kerman. This is informational only.

. Communications

A. Commissioners Comments –

C/Epperson inquired of the lots purchased by Covington in tract 5329/5488, where there any conditions on the tract relating to design requirements. Staff noted that the zoning is a R1 zone district and the models were provided by the contractor, probably with no special conditions because it was not a smart development district; however staff would review the file.

C/Melgoza inquired about Katie's park, Philip Gallegos reported that there was a great turnout from all sections of the community, approximately 120 volunteers came out and planted 160 trees, cleaned weeds and by 10am were done., Next step would be to hydro seed the park, in 2 to 3 weeks with drought tolerant. Phase III would include the restroom, playground, benches, tables.

C/Nehring inquired how the weeds would be maintained in the park, staff said by spraying.

C/Kehler inquired about Whitesbridge/Vineland SEC, will the building be relocated, etc. staff reported that they have been in discussion with property owners, 10 ft of the building will be removed, so there will only be minimal construction. Staff has completed the approvals and acquisition.

C/Kehler inquired about the SOI if the City was waiting for LAFCo. Staff reported that the City has Discussed an option to request the entire SOI be approved but with 2 tiers, as has been done in other cities. Staff received some positive feedback from County staff. This will go before the City Council on July 2, 2014 to get authorization to formally request from Fresno County.

C/Nehring inquired about obsessive signage, that he brought up at last meeting if anything had been done? Staff reported that a lot of the signage was for political signs that now are being taken down. Staff will be working on amending the sign ordinance to bring back to the Commission

No other comments

Adjournment 7:15pm



Olivia G. Pimentel
Secretary to the Planning Commission



City of Kerman

"Community Comes First"

CHAIRPERSON VICE CHAIR
ROBERT EPPERSON KEVIN NEHRING

COMMISSIONER COMMISSIONER COMMISSIONER COMMISSIONER COMMISSIONER
ROBERT BANDY JORDAN HARRIS GABRIEL MELGOZA ERIC KEHLER KATIE WETTLAUFER

PLANNING DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING JULY 28, 2014

To: Kerman Planning Commission
From: Luis Patlan, Director of Planning & Development
Subject: Tentative Parcel Map No. 14-01

RECOMMENDATION:

That the Planning Commission adopts Resolution No. 14-03, recommending that the Planning Commission conduct a public hearing and recommend approval of the Kerman City Council of Tentative Parcel Map No. 14-01, subject to conditions of approval.

PROPOSAL:

The applicant has submitted an application for a tentative parcel map to subdivide a 1.0-acre parcel into four (4) residential lots ranging in size from 8,400 sq. ft. up to 15,000 sq. ft. The subject property is located on the southeast corner of E Street and Siskiyou Avenue, as shown on the location map in Attachment 'A'.

APPLICANT/DEVELOPER

Cassandra & Serjando Avila
300 S. Del Norte Avenue
Kerman, CA 93630

APPLICANT'S REPRESENTATIVE

M.R Weyant
West Coast Land Surveying
704 Loyola Avenue. Fresno, CA 93619

PLANNING COMMISSION ACTION

Pursuant to Section 16.24.040 of the Kerman Municipal Code, the Planning Commission may recommend to the City Council approval, conditional approval or denial of a tentative parcel map. Following action by the Planning Commission, staff will prepare a report and present the Commissions' recommendation to the City Council for final action.

OUTSTANDING ISSUES

None.

SITE INFORMATION:

The property has an existing mobile home near Siskiyou and the balance of the property to the east is vacant.

Site Location: Southeast corner of E Street and Siskiyou Avenue.

Assessors Parcel Nos.: 023-432-13s

Total Size: 1.00 Acre

Existing Uses: There is an existing mobile home on the property.

General Plan: The lot is designated as Medium Density Residential on the Land Use Map.

Zoning: The parcel is zoned single-family residential (R-1-7) consisting of a minimum of 7,000 sq. ft. lot size.

Surrounding Uses & Zoning:

Location	Existing Land Uses	General Plan Designations	Zone Districts
North	Single Family Residential	Medium Density Residential	R-1-7
South	Single Family Residential	Median Density Residential	R-1-7
East	Single-Family Residential	Medium Density Residential	R-1-7
West	Elementary School/Single Family Residential	Medium Density Residential	R-1-7

ANALYSIS:

The request is for a Tentative Parcel Map to subdivide a one acre parcel into four (4) parcels. The proposed lots are summarized in Table 1 and the tentative parcel map is depicted in Attachment 'C'.

Subdivision Map Act

The proposed Tentative Parcel Map will create four or fewer lots consistent with Section 66426(c) of the Subdivision Map Act. The tentative parcel map shows the preliminary design of the proposed land division and allows the planning department to determine that the design of land division is in conformity with the General Plan. A Final Parcel Map will be filed and recorded following approval of the Tentative Parcel Map.

General Plan Consistency

Staff has evaluated the project in light of the goals and policies contained in the Land Use Element of the General Plan. The following goals and policies reflect Kerman's desire for a balance community that is economically viable, provides for a variety of housing needs, and retains its small town character.

- Goal 2: Protect the health, safety and welfare of residents by insuring that Kerman is well-planned.
- Goal 8: Promote urban growth patterns and land use arrangements in Kerman that minimize land use conflicts.
- Goal 11: Preserve Kerman's single-family residential neighborhood atmosphere.

Policy A-1: Promote a clean, well-maintained community.

Discussion: The project would subdivide a one-acre lot into four parcels for future single-family development that would eliminate the accumulation of weeds and debris on the predominately vacant lot.

Policy D-1: Single family development shall be well-designed and well-maintained.

Discussion: The project would be consistent with the development pattern anticipated on lands designated as Medium Density Residential and consistent with the dominant pattern of parcel development for the surrounding area.

Policy C-7: Promote infill development in order to reduce the rate at which surrounding agricultural land is urbanized and to provide for a more efficient use of existing infrastructure.

Discussion: The project would promote infill development on an existing one acre lot within an established neighborhood served by existing infrastructure by creating four lots for future single-family development.

Zoning

The site is currently zoned single-family (R-1-7) residential which allows a minimum lot size of one dwelling unit per 7,000 square feet. Permitted uses in this zone district include single family residential dwelling units. Table 1 depicts the proposed lot sizes for each parcel. The lot size range from 8,400 square feet up to 15,000 square feet consistent with the proposed density of development. The future single-family residential units will need to be in compliance with required setbacks for the zoning district.

Table 1 Tentative Parcel Map No. 14-01		
Parcel	Lot Size	Current Zoning
1	8,400 sq. ft.	Single-Family (R-1-7)
2	8,400 sq. ft.	Single-Family (R-1-7)
3	10,546 sq. ft.	Single-Family (R-1-7)
4	15,000 sq. ft.	Single-Family (R-1-7)

Subdivision Ordinance

In order to approve the proposed Tentative Parcel Map, the proposed subdivision must be found consistent with the General Plan, Zoning Ordinance, and the Subdivision Map Act. Based on the analysis herein, staff recommends approval of the Tentative Parcel Map based on the following findings:

1. *The proposed map is consistent with the applicable General Plan, Subdivision Ordinance, Specific Plan, and the Subdivision Map Act.*

The procedural requirements of the Map Act are being followed and all parcels will comply with the applicable general plan and engineering and zoning standards pertaining to grading, drainage, utility connections, lot size and density. There is no applicable specific plan governing the site.

2. *The design or improvement of the proposed land division is consistent with applicable general plan and specific plans.*

The density that will be created as a result of the proposed subdivision is consistent with the density range of 1 unit per 7,000 square feet prescribed by the Land Use Chapter of the General Plan.

3. *That the site is physically suitable for the proposed density of development.*

The subdivision will create four lots both with adequate land area to support detached single family dwelling units with standard setbacks and ample useable private yard space. As depicted in Table 1 above, each lot will be a minimum of 7,000 square feet.

4. *The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The project site is not located in a sensitive environment but rather in an area surrounded by other residential and institutional land uses. The scope of the project would only add four single-family dwellings to the area, making it such minor natures so as to not have a significant adverse impact on the environment.

5. *The design of the subdivision and the type of improvements being required are not likely to cause serious public health problems.*

The lots being created will comply with all applicable sanitary sewer and water service and stormwater runoff requirements, as well as other similar environmental and life safety regulations and standards. Thus, the project is not likely to cause serious public health problems.

6. *The design of the subdivision or the type of improvements will not conflict with easements acquired by the public-at-large for access through or use of property within the proposed subdivision.*

There are no public easements that currently encumber the property to be subdivided, and all modifications made to the existing public improvements fronting the parcels during development of the properties will be required to be constructed to current City standards.

Access

The subject parcels are located on the southeast corner of E Street and Siskiyou Avenue. Access to the lots will be from Siskiyou and E Streets. Both E Street and Siskiyou Avenue are fully developed local streets with two travel lanes, parking, curb and gutter. No other rights-of-way, dedications or easements are required for the proposed Tentative Parcel Map.

Utilities

All public utilities are available or can be extended to serve the site.

ENVIRONMENTAL REVIEW:

Staff has determined that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines. Pursuant to Section 15315 of CEQA minor land divisions are exempt when the proposed division of land is within an urbanized area zoned for residential uses, four or fewer parcels are being created, the site is consistent with the General Plan and zoning Map, and all services and access to the proposed parcels are available.

PUBLIC HEARING:

A public hearing notice was mailed to property owners and residents within 300 feet of the site. The City also published notice of this public hearing in the *Kerman News* on July 9, 2014. As of the date this report, staff received one verbal inquiry regarding the proposed project.

SUMMARY/CONCLUSION:

The proposed Tentative Parcel Map is consistent with the General Plan and Zoning Ordinance as well as the Subdivision Map Act. On that basis, staff recommends that the Planning Commission adopts Resolution No. 14-03 approving Tentative Parcel Map No. 14-01, subject to the conditions of approval.

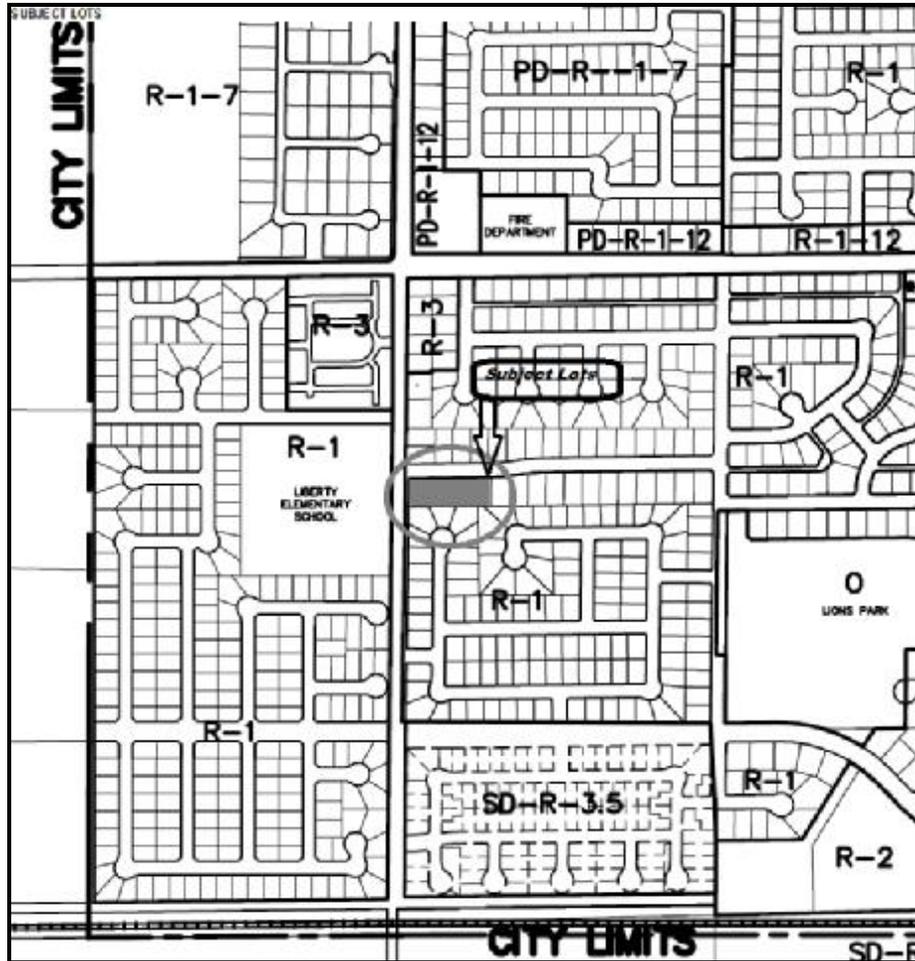
Attachments

- A. Location Map
- B. Zoning Designation Map
- C. Tentative Parcel Map No. 14-01
- D. Resolution No. 14-03, Approving Tentative Parcel Map 14-01 w/Conditions of Approval

Attachment 'A' Location Map



Attachment 'B'
Zoning



Attachment 'D'

Resolution No. 14-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KERMAN RECOMMENDING APPROVAL OF TENTATIVE PARCEL MAP NO. 14-01 (AVILA)

WHEREAS, tentative parcel map has been filed by Cassandra and Serjando Avila, 300 S. Del Norte Avenue in Kerman, CA 93630 for the division of 1.0 gross acre of land into four (4) parcel, located on the southeast corner of E Street and Siskiyou Avenue; and

WHEREAS, staff has conducted necessary investigations to assure the proposed division of land would be consistent with the purposes of the City's General Plan, Subdivision Ordinance, the State Subdivision Map Act; and

WHEREAS, a written report was prepared by staff which included a recommendation for approval of this Tentative Parcel Map subject to conditions; and

WHEREAS, a public notice was circulated to adjacent properties and published in the local newspaper as required by law and a public hearing was duly held on July 28, 2014; and

WHEREAS, the Planning Commission finds that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15315 consisting of minor land divisions; and

WHEREAS, the Planning Commission hereby adopts the following findings in support of approval of this Tentative Parcel Map:

1. The proposed design and improvements of the 4-lot subdivision are consistent with the General Plan land use designation of Medium Density Residential (MDR) for the subject property.
2. The density that will be created as a result of the proposed subdivision is consistent with the density range of 1 unit per 7,000 square feet prescribed by the Land Use Chapter of the General Plan.
3. The site is physically suitable for the type and proposed density of development because adequate roadway capacity and infrastructure exist or can be provided, and the site has no topographical constraints.
4. The design and improvement of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the site is not within a sensitive habitat area.
5. The design and improvement of the subdivision are not likely to cause serious public health problems because adequate sewer and water systems will be provided to the project.

6. The design and improvement of the subdivision will not conflict with easements acquired by the public-at-large, for access through or use of property within the proposed subdivision because all such easements have been incorporated into the proposed public streets.

WHEREAS, the Planning Commission, after considering all evidence presented, further finds that approval of the proposed Tentative Parcel Map will promote the orderly growth and development of the City.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Kerman hereby recommends that the City Council approves Tentative Parcel Map No. 14-01, subject to the conditions of approval attached hereto as Exhibit 'A'. The foregoing resolution was introduced, passed, and adopted upon a motion of Commissioner _____, second by Commissioner _____, at a regular meeting of the Planning Commission held on the 28th of July, 2014, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Robert Epperson, Chairman
Kerman Planning Commission

ATTTEST:

Olivia Pimentel, Secretary
Kerman Planning Commission

Exhibits

Exhibit 'A' – Conditions of Approval

EXHIBIT 'A'

Conditions of Approval

General Requirements

1. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as conditioned by the City Engineer.
2. Tentative Parcel Map is valid for two (2) years from the date of approval, unless otherwise extended by the Planning Commission pursuant to applicable city ordinance.
3. The filing of a Final Parcel Map must be in accordance with the checklist for final map per the Section 16.36.010 of the Kerman Municipal Ordinance and consistent with the applicable provision of the Subdivision Map Act.
4. 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 Planning and Development Services Department. For a business license application or for more information, contact Olivia Pimentel at (559) 846-6121.
5. Pursuant to Government Code Section 66474.9, the developer/applicant (including any agent thereof) shall indemnify, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claim, action, suit or proceedings against the City, or an agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attach, set aside, void, or annul, arising in connection with an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the votes of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect defend (with counsel selected by the City), and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend such government entity. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees or agents.

Fees

6. Prior to issuance of building permits, the applicant/developer shall pay all fees as required under the City's Development Impact Fees, and all other fees/charges for wastewater, water, and other City utilities in effect at the time of building permit issuance. Contact City Engineer at (559) 244-3124 for updated fees or if you have any question regarding the development impact fees.
7. Prior to issuance of building permits, the applicant/developer shall be responsible for the payment of school facility impact fees as adopted by the Kerman Unified School District.

8. Prior to issuance of a certificate of occupancy for the project, the applicant/developer shall submit proof of payment to the Fresno County Transportation Authority's Regional Transportation Mitigation Fee (RTMF). The RTMF must be paid to the RTMF Joint Powers Agency, located at 2035 Tulare Street, Suite 201, Fresno, CA. Please call (559) 233-4148 for more information. The rate to be paid is the rate in the effect at the time of payment.
9. If applicable, the applicant shall be responsible to pay Fresno County Public Facilities Impact Fees in effect at the time building permit is issued. For more information, contact Teresa Parks, Accountant, or Stephen Farmer, Accounting and Financial Division Chief, Auditor-Controller/Treasurer Tax Collector at (559) 488-2892.
10. If applicable, the applicant/developer owners shall pay all Department of Fish and Game fees and associated County filing fees if a Notice of Determination is filed (NOD).

Construction

11. The applicant/developer shall comply with the City of Kerman Construction and Demolition Recycling Program. Contact Olivia Pimentel, Planning Technician, at (559) 846-6121 for more information.
12. The applicant/developer shall use the City's franchise waste hauler for any roll-off waste bins used for the removal of construction debris. Contact Mid Valley Disposal at (559) 843-2467 for bin information and pricing.
13. The applicant/developer shall be responsible for obtaining and complying with encroachment permits from the Building Division for any work performed within the street or alley right-of-ways. A performance bond in the amounts prescribed by the Building Official shall be submitted with the encroachment permit application. Contact Chris Kufis, Acting Building Official, at (559) 846-2301 for more information

Engineering

14. A Final Parcel Map prepared by a Land Surveyor or Civil Engineer licensed to practice surveying shall be submitted to the City Engineer for review and approval. A Preliminary Title Report and closure calculations shall be submitted. The final parcel map shall conform to the requirements of the Subdivision Map Act and the Kerman Municipal Code.
15. Construct sidewalk and driveway approaches along the frontage of each parcel in accordance with City standards.
16. Install separate sewer services for all parcels in accordance with City standards.
17. Install separate water service for all parcels in accordance with City standards.
18. The applicant/developer shall be required to install a separate water meter for each dwelling unit at the time of rough plumbing. Contact Public Works (559) 846-9343 for the size and type of water meter.

19. The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Section 66020(d) of the Government Code, these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations and other exactions. The applicant is hereby notified that a 90-day protest period, commencing from date of approval of the project, has begun. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exactions contained in this notice, complying with all the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

END OF CONDITIONS