

**RESOLUTION #2012-37**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE  
MODIFYING PLANNING COMMISSION RESOLUTION #2012-17  
APPROVING REVISED ELEVATIONS AND FLOOR PLANS FOR  
THE REMAINING 37 LOTS IN PHASE II OF TRACT 821 (aka Davante Villas II)**

At a Regular Meeting of the City Council of the City of Lemoore duly called and held on December 18, 2012 at 7:30 p.m. on said day, it was moved by Council member \_\_\_\_\_, seconded by Council member \_\_\_\_\_ and carried that the following Resolution be adopted:

**WHEREAS**, Woodside 05N, LP purchased the 37 single family lots in Tract 821 Phase II which includes lots 168 through 174, Lots 177 through 180, lots 184 through 186, lots 188, 189, 192, 193, 194 through 205 and 242, and:

**WHEREAS**, Woodside 05N, LP has submitted revised elevations and floor plans for the remaining 37 lots of Phase II of Tract 821 known as Davante Villas II; and

**WHEREAS**, Tract 821 Phase II is located north of Cinnamon Drive, south of Fallenleaf Drive, west of Liberty Drive, and east of 19<sup>th</sup> Avenue; and

**WHEREAS**, The proposed new plans include 2 single-story floor plans and 3 two-story plans, with 3 elevations each similar to the existing development with optional courtyards to be plotted as permits are issued; and

**WHEREAS**, Planning Commission of the City of Lemoore at its regular meeting of November 26, 2012 held a public hearing and passed Resolution #2012-17 approving the above listed application with conditions of approval; and

**WHEREAS**, Woodside submitted revised floor plans/elevations to incorporate Planning Commission's recommendation and asked to further modify Plan 2 to allow for an optional bonus room in lieu of the third car garage; and

**WHEREAS**, at its December 18, 2012 meeting, City Council reviewed the revised floor plans, and elevations for the project and held a public hearing to take public testimony.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Lemoore does hereby modify Planning Commission Resolution #2012-17, adopted November 26, 2012 and hereby:

- I. Determine that the above described "project" is categorically exempt under CEQA Section 15305-Minor Alterations in Land Use Limitations;
- II. Determine that the prior floor plans and elevations approved for Lennar Fresno for the remaining 37 contained in City Council Resolution #2011-48 adopted December 20, 2011 are superseded with a new Resolution, while the remaining unmet conditions of City Council Resolution #2005-08 adopted February 15, 2005 pertaining to the subdivision portion be retained; and
- III. Find that the attached PUD designs with the below conditions of approval will meet the intent of the PUD and the quality of the original partially constructed subdivision and home designs will not be substantially detrimental to adjacent property or materially impair the purposes of the Zoning Ordinance or the public interest and therefore are approved with the following conditions to be valid for two years, in which time building permits will need to be pulled:

1. The Individual Plot Plan Review process shall be utilized to approve individual plans/elevations per lot with the appropriate fee to insure that all plans meet the design standards and conditions listed herein. Special attention will be paid to the requirement that “No two (2) identical looking floor plans and elevations shall be placed on lots within a group of five (5) adjacent lots. For purposes of this section, “adjacent lots” shall mean those lots on either side of a subject lot and those three (3) lots directly across the street from the subject lot (referred to as a “six pack”). Garages on reverse corner lots may have the option of modifying the opening to be on the “side yard” opposite the main entry door as approved by the Planning Department. A running excel spreadsheet shall also need to be submitted with each submittal showing all the plans approved to date in the subdivision with applicable provisions shown to insure the conditions of the project are met.
2. Setbacks shall continue as the original PUD was approved with varying 18-25’ front yards (with a minimum of 2’ stagger on adjacent lots), 10’ minimum garage side sideyard and a 5’ minimum setback on the remaining sideyard for a single-story home (or 10’ and 10’ sideyard setbacks for 2-story homes), and a 10’ rear yard. Should porches/courtyards be incorporated into plans, the setback for these features shall be allowed the 12’ setback to that feature.
3. Fence setbacks shall meet current City standards in Table 9-5A-7-E1 of the Zoning Code and be delineated on the plot plans. Reverse corner lots shall smoothly transition street side fencing from the back of house to adjacent lot’s side yard fencing. Air conditioning units shall be at least 3’ away from fence line to maintain fire access.
4. The Floor Area Ratio (FAR) shall be allowed up to 40% so long as the overall lot coverage does not exceed 75%, and that the front yard coverage shall not exceed 60% of the front yard area and that these areas shall be submitted on the plot plan submittal. These lot coverages will need to be met for the subdivision either by plotting the worse case scenario (ie. the biggest footprint plan on the smallest lot) or individual lots if the worse case does not meet the standards.
5. Approximately one-third of the proposed homes shall incorporate a front porch/patio that has between 120-300 square feet of “useable” area, as delineated on attached floor plans, and carriage lights flanking the garage of similar size and layout as the existing built subdivision. At least 8 homes shall be 2-story and no 2-story home shall be placed on lot 194.
6. Corner lots need to “wrap” the optional looking siding shown on Plans 1 and 2 down the street side of the home with either stone wainscoting if used on the front façade or softscape shrubbery within 6” of the fence. Plans 3, 4, and 4 bonus do not need to wrap features as the building articulation avoid the long blank wall affect.
7. Should Plans 1 and 2 use the same elevation letter within a six-pack (i.e. 1a & 2a), three additional “substantially varying features” (such as color, contrasting garage door, courtyard, window grid pattern, etc...) shall be incorporated so that they are “substantially differentiated”.
8. All residential entries shall incorporate at least two of the following characteristics: i. Awning or portico, ii. Multi-panel door, iii. Transom windows and/or sidelights, iv. Durable, high-quality door hardware, v. Solid core door with wood or wood-like finish and be shown on the plot plan submittal.

Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on December 18, 2012 by the following votes:

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

**APPROVED:**

\_\_\_\_\_  
**William Siegel, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kristie R. Baley, City Clerk**

**CERTIFICATE**

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

I, Kristie R. Baley, City Clerk of the City of Lemoore, do hereby certify the foregoing Resolution of the City Council of the City of Lemoore was duly passed and adopted at a Regular Meeting of the City Council held on December 18, 2012.

DATED: December 18, 2012

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**Kristie R. Baley, City Clerk**