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**Public Works/
Planning**

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Staff Report

ITEM 6

To: Lemoore City Council
From: Steve Brandt, City Planner *SB*
Date: November 25, 2013
Subject: Public Hearing – Negative Declaration, General Plan Amendment 2013-01 and Zone Change 2013-01

Summary

General Plan Amendment 2013-01 is a request to remove the collector street and bikeway status from Bush Street west of Marsh Drive, and to change the land use designation from Low Density Residential and Parks & Recreation to Community Facilities. **Zone Change 2013-01** is a request to change the zoning map from Low Density Residential (RLD) and Parks & Recreation (PR) to Public Services & Community Facilities (CF).

The site is currently owned by Pharris Lemoore, LLC, who is being represented by Tim Palmquist, the applicant. The site is approximately 53 acres. Pharris Lemoore, LLC, is planning to deed the property to the U.S. Navy (Naval Air Station Lemoore). There are also plans for a conservation easement to be placed on the site that would prohibit future development of the site, including the development of residential dwellings. The conservation easement would allow some limited use by West Hills Community College District.

The site proposed for amendment includes APNs 023-510-34, 023-510-36, and a portion of 023-510-37. The site is located at the northwest corner of West Hills Community College: Lemoore, both north and west of the intersection of Bush Street and Campus Drive. Exhibit A shows the existing and proposed land use designations. Exhibit B shows the Assessor's Parcel Map that shows the site.

Recommendation

Staff recommends that the City Council hold a public hearing and then:

- 1) Adopt the Negative Declaration prepared for the project;
- 2) Adopt Resolution #2013-30 and Ordinance #2013-04 approving General Plan Amendment 2013-01 and Zone Change 2013-01.

Project Description

The proposal would change the City of Lemoore General Plan and the City of Lemoore Zoning Map in the following three ways:

1. The General Plan's Circulation Element would no longer show any required streets west of the Marsh Drive alignment. Currently the Circulation Element shows Bush Street extending as a collector street west of Marsh Drive and then turning south at the abandoned Stratford railroad spur and curving back to Marsh Drive further south.
2. The General Plan's Land Use Element Map would be modified to Community Facilities on the land located west of Marsh Drive between the Union Pacific Railroad line and the land designated for Wetlands Conservation as. Currently this land is designated mostly Low Density Residential, with approximately 3 acres designated Parks & Recreation.
3. The Zoning Map would be modified to Public Services and Community Facilities (CF) on the land located west of Marsh Drive between the Union Pacific Railroad line and the land designated for Wetlands Conservation as. Currently the Zoning Map shows RLD (Low Density Residential) and PR (Parks & Recreation) on the site.

The applicant is making this request so that the City General Plan and Zoning Map will be consistent with agreements that will be between the applicant (the property owner Pharris, LLC), the U.S. Navy, and West Hills Community College District.

Background Information - Project Evaluation

A tentative subdivision map to divide the property into single-family residential lots was approved by the City in 2006. This subdivision map, called TTM 845 or Victory Village, covers most of the project site as well as land east of the project site that is north of Bush Street. The land outside of the project area is Phase 1 of TTM 845 and is not a part of these proposed amendments.

After the tentative map approval the Lemoore Naval Air Station expressed great concern to the property owner and the City, saying that the residential development would be a detriment to the Air Station's mission. After much negotiation, the U.S. Navy has agreed to purchase the property. In addition, a conservation easement will be placed on the property so that it cannot be developed for residential uses. California's laws for conservation easements require a local non-profit entity be the trustee of the easement. Because of its proximity to the site, West Hills Community College District has agreed to be the trustee of the conservation easement. The conservation easement will allow the District to use to the site for very limited purposes, including stormwater drainage basins, agriculture, passive recreation, and educational activities related to conservation and environmental restoration.

The City staff has reviewed the draft agreement between the property owner, the U.S. Navy, and the College District. The agreement would prohibit Phases 2 and 3 of TTM 845 from ever developing, and those phases of the tentative map would eventually

expire. Phase 1 of the tentative map would not be affected, and the applicant will continue to pursue development and home construction there.

The agreement provides a benefit for each party. The Navy will be assured that there will be no development west of Marsh Drive. The College District obtains the use of additional property for a storm drainage basin that can serve their college site as well as land that could be used for educational conservation purposes. Pharris, LLC, who also owns other property east of the site, will use the dirt dug out from the stormwater basins to raise the grade of other nearby sites. These nearby sites are currently in flood zone areas and need to be raised in order to develop.

Given the provisions of the conservation agreement, the Community Facilities land use designation is the appropriate designation for the site. Staff had considered the Conservation and the Agriculture land use designations, but those designations might not allow the educational uses and storm drainage basins that the College District intends. Also, since the site will no longer be developing with urban uses, it is appropriate to remove the requirements for collector streets on the site.

Implementation of the intended conservation easement can occur whether the City changes the land use designation and zoning or keeps it as is. However, retaining residential designation and zoning on the site would provide a false impression of what appears to now be the permanent land use disposition of the site, and would overly inflate the statistics of vacant residential land inventory in the city. Therefore, Staff recommends that the applications be approved.

Subsequent Actions

If approved, the Zone Change will be brought back to the City Council for a second reading of the Ordinance change, which would be the final approval. The changes would be effective 30 days after final approval.

Attachments

Draft Resolution – GPA 2013-01

Draft Ordinance – COZ 2013-01

Initial Study / Negative Declaration

Exhibit A – General Plan Amendment Map – Existing and Proposed

Exhibit B – Assessor’s Parcel Map showing site