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**Planning
Department**

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STAFF REPORT

Item # 5

To: Lemoore Planning Commission
From: Gloria Hobbs, Assistant Planner, Holly Smyth, Planning Director
Review Date: August 8, 2011
Subject: Categorical Exemption #2011-18 Boundary Line Adjustment #2011-01
For St. Peter's Church

A. General Information:

1. Applicant / Owners Roman Catholic Bishop of Fresno
550 N. Fresno Street
Fresno, California 93703
(559) 493-2872 Ext 108
(559) 493-2875 Fax
ddrivage@dioceseoffresno.org
2. Engineer/Surveyor Zumwalt-Hansen & Associates
609 N. Irwin Street
Hanford, California 93230
(559) 582-1056
3. Location: East side of Lemoore Avenue, north of
Cinnamon Drive and south of Club Drive.
4. Property Description: Assessor Parcel Numbers:
021-330-006 and 021-330-009
5. Site Areas: Parcel #1 – 0.817 acres
Parcel #2 – 2.655 acres
6. Lot Line Adjustment: Parcel #1 from 0.817 to .0 acres
Parcel #2 from 2.655 to 3.472 acres
7. General Plan Designation: Community Facility
8. Zone District: R-1-7 (Single Family)

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B. Plan Location & Description:

Diocese of Fresno Education Corporation, represented by Zumwalt-Hansen & Associates, proposes a boundary line adjustment between two adjacent properties located on the east side of Lemoore Avenue, north of Cinnamon Drive and south of Club Drive within the Saint Peter's Church property. The boundary line adjustment proposes to eliminate the boundary lines of Parcel #1 (021-330-006) to merge with Parcel 2 increasing Parcel 2 (APN: 021-330-009) from 2.655 acres to 3.472 acres to include the new church building.

The purpose of the boundary line adjustment is meet Condition #2 of Resolution #2008-09 approved on October 27, 2008 and affirmed by City Council Resolution #2008-61.

"2. Right-of Ways (ROW) and Easements: The Applicant will need to insure dedication of an additional 2' of ROW to the City along Lemoore Avenue and ROW for the new off-site street so that 60' of total right of way will exist. Additionally a 10' public utility easement (PUE) shall be dedicated along Lemoore Avenue and Club Drive behind the new ROW line(s) and allow the locating of a bus shelter along a portion of Lemoore Avenue close to Club Drive. Additionally, a blanket cross-access / cross-parking easement across all parcels shall be required and recorded. If not utilizing a Parcel Map, all other appropriate documents required to dedicate rights-of-way and easements listed herein shall be prepared to include appropriate cover document, individual written legal descriptions and map exhibit for each of these rights-of-way and easement dedications and must be accepted by the City and recorded prior to occupancy.

Map: A Lot Line Adjustment, a Parcel Map, or other legal documentation acceptable to the City shall be applied for, fees paid, approvals given, and recorded to effectively combine parcels 021-330-006 and 021-330-009 together or otherwise meet building setback and other property line requirements prior to building occupancy. "

Based on Condition #2, the applicant has submitted under separate documents the draft 2' ROW dedication and the 10' public utility easement that is under review by the City Engineer. The cross access/cross/parking easement across all parcels was not sent.

C. Project Review:

The State Map Act limits the City review of a boundary line adjustment. The City review is used to determine whether the proposed property line adjustment will be in compliance with the City Zoning and Building Codes. Review is conducted hereunder.

1. Compliance with General Plan and Zoning District:

The site is designated Community Facility in the 2030 Lemoore General Plan which is intended for public facilities, which meets the intent of the General Plan useage. The zone district for the site is R-1-7 and the Church use is permitted with a conditional use permit in the R-1-7 zone district. A site plan has been approved and the church is currently under construction.

MIQ School is located to the north, single family residential to the west, commercial to the south, and mixed use designated property to the east of the project site.

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2. Parcel Size/Setbacks/Coverage:

The purpose of the boundary line adjustment is to eliminate the boundary lines of Parcel #1 (APN #021-330-006) from 0.817 acre size while increasing the size of Parcel #2 (APN #021-330-009) which is the Church site, from 2.65 acres to a 3.472 acre site to meet building setbacks and other property line requirements prior to building occupancy of the church.

The church building is roughly 7-stories in height and its placement will meet the City Zoning setback requirements with the proposed parcel lines.

3. Other Comments:

Kings County requires the processing, review and approval of a lot line adjustment shall be pursuant to the provisions outlined in Chapter 21, Article VII located in the Kings County Code of Ordinances. Because one parcel is being eliminated, the City Engineer's office has asked that a deed of trust be given from the parcel being eliminated to the newly created parcel owner.

D. Environmental Assessment:

A Boundary Line Adjustment proposal is "Categorically Exempt" from California Environmental Quality Act (CEQA) as per Section 15305(a) of the State Guidelines. This Section exempts "minor lot line adjustments not, resulting in creation of a new parcel" from environmental assessment requirement. The Commission should make such finding for the record, included in the draft Resolution.

E. Recommendation:

Staff recommends that the Planning Commission adopt the attached Resolution #2011-06 which determines that the proposed Boundary Line Adjustment is "Categorically Exempt" from California Environmental Quality Act (CEQA) as per Section 15305(a) of the State Guidelines and approves the Boundary Line Adjustment with conditions of approval stated therein.