

LEMOORE PLANNING COMMISSION
Regular Meeting
AGENDA
Lemoore Council Chamber
429 'C' Street

February 10, 2020
7:00 p.m.

1. Pledge of Allegiance
2. Call to Order and Roll Call
3. Recognition of Re-Appointment to the Commission – Ron Meade
4. Introduction of New Commissioner – Michael Dey
5. Introduction of New Attorney – Wesley Carlson
6. Reorganization of Commissioners – Election of Officers – Chair and Vice Chair

7. Public Comment

This time is reserved for members of the audience to address the Planning Commission on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Commission. It is recommended that speakers limit their comments to 3 minutes each and it is requested that no comments be made during this period on items on the Agenda. The Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda. Prior to addressing the Commission, any handouts for Commissioners will be provided to the Planning Commission Secretary for distribution to the Commissioners and appropriate staff.

8. Approval – Minutes – Regular Meeting, August 12, 2019
9. Public Hearing – to accept public comment on the adoption of an ordinance approving a First Amendment to Disposition and Development Agreement between City of Lemoore and KKAL, LP and Addendum to Is/Mitigated Negative Declaration
10. Information Only – Lacey Ranch Residential Project
11. Director's Report – Judy Holwell
12. Commission's Reports and Requests for Information
13. Adjournment

Upcoming Meetings

Regular Meeting of the Planning Commission, March 9, 2020

Agendas for all Planning Commission meetings are posted at least 72 hours prior to the meeting at the Council Chamber, 429 C Street and the Cinnamon Municipal Complex, 711 W. Cinnamon Drive. Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the Community Development Department, located at 711 W. Cinnamon Drive, during normal business hours. The City of Lemoore complies with the Americans with Disabilities Act (ADA of 1990). The Council Chamber is

accessible to the physically disabled. Should you need special assistance, please call (559) 924-6744, at least 4 business days prior to the meeting.

CERTIFICATION OF POSTING

I, Kristie Baley, Planning Commission Secretary for the City of Lemoore, do hereby declare that I posted the above Planning Commission Agenda for the Regular Meeting of Monday, February 10, 2020 at 7:00 p.m. at the Cinnamon Municipal Complex, 711 W. Cinnamon Drive in accordance with applicable legal requirements.

Posted this 7th day of February 2020.

//s//
Kristie Baley, Planning Commission Secretary

**Minutes of the
LEMOORE PLANNING COMMISSION
Regular Meeting
August 12, 2019**

ITEM NO. 1 Pledge of Allegiance

ITEM NO. 2 Call to Order and Roll Call

The meeting was called to order at 7:00 PM.

Chair:	Clement
Vice Chair:	Etchegoin
Commissioners:	Boerkamp, Franklin, Koelewyn, Meade, Rogers

City Staff and Contract Employees Present: City Manager Olson, Community Development Director Holwell, City Planner Brandt (QK), City Attorney Linden, Commission Secretary Baley

ITEM NO. 3 Public Comment

Resident, 543 Puffin Lane, expressed concerns regarding the lack of required street improvements to 19 ½ Avenue for new developments that use the street for delivery access.

ITEM NO. 4 Approval – Minutes – Regular Meeting, July 8, 2019

Motion by Commissioner Etchegoin, seconded by Commissioner Rogers, to approve the Minutes of the Planning Commission Regular Meeting of July 8, 2019.

*Ayes: Etchegoin, Rogers, Boerkamp, Franklin, Clement
Abstain: Koelewyn, Meade*

ITEM NO. 5 Public Hearing – to consider and accept public comment on the adoption of an ordinance approving a disposition and development agreement (“Development Agreement”) proposed by and between the City of Lemoore, GSFH, LLC and Valley Pure Lemoore, LLC to establish the terms on which City will sell the property located at 400 and 500 S. 19 ½ Avenue, Lemoore CA (APN 023-400-001, 023-400-002, and 023-400-003) to operate multiple commercial cannabis businesses, including cultivation, manufacturing, distribution, and retail dispensary businesses, on the property in accordance with California’s medicinal and adult-use cannabis regulation and safety act, as well as City Ordinance No. 2019-03 as set forth in the City’s municipal code; and selling the property for the sum of \$91,000.

Commissioner Franklin recused himself because he lives within close proximity of the project.

Commissioner Boerkamp recused herself because she works for an organization that would create a conflict of interest.

Commissioners Franklin and Boerkamp left the building.

The public hearing opened at 7:07 p.m.

Community Development Director Holwell presented the staff report.

City Manager Olson presented aspects of the potential project and answered questions from Commissioners.

Kevin Burdacky, representative for Valley Pure, introduced himself to the community and provided details regarding the proposed facility. He invited the public to visit their existing facility in Woodlake, CA.

Commissioner Clement opened public comment.

Carlos Cota, 540 Blue Jay spoke and expressed concern regarding real estate values in the neighborhood.

Dave Dack, 598 Acacia Drive spoke and expressed concern regarding unanswered questions about the impact to the neighborhood overall and specifically objected to the location because of its proximity to the existing elementary school and at least two day care facilities in the area, as well as the possibility of reduced safety in the area. He expressed further concern regarding the money and inevitability rational, as well as known health effects of the drug itself.

Ray Madrigal, 365 S. Acacia Drive thanked the public for attending. He thanked the City Manager for trying to increase revenue for the City. He stated that he supports the City Ordinance to allow Cannabis dispensaries downtown and cultivation/manufacturing in industrial areas, but that this proposal is like trying to fit a square peg in a round hole.

Floyd Tankersley, 542 Fairview Drive spoke and expressed concern regarding the proposed location of the facility in proximity to the existing neighborhoods.

Wess Arden, retail management team member for Valley Pure, asked residents to be open and invited the public to visit other facilities. He expressed that their team strives to improve communities and practices eco smart farming.

Dustin Raber, local property owner, businessman and former Lemoore resident, spoke and asked if customers will be purchasing directly from the proposed facility. He expressed concern regarding marketing tactics and the increased access to cannabis products in the community.

Jael Cook, 1474 Cedar Avenue spoke and expressed concern regarding increased traffic, safety, property values and the affects the facility may have to her home based business.

Resident, 1494 Cedar Lane expressed concerns regarding the unknown affects to the community and lack of information in the noticing. He expressed concerns regarding the conditions in the development agreement, particularly section B.

Scott Daley, Daley Homes and Silva Estates in Lemoore opposed the location of the proposed facility because of its close proximity to the Daley subdivision.

Mark Geiger, 1696 Big Sur expressed concern regarding aesthetics and safety of the community, as well as real estate values with the proposed facility's close proximity to the residential areas, elementary school and West Hills College. He expressed concerns regarding the sale of the property for industrial use.

Rachel Peevy, 563 Puffin Lane spoke and expressed concern regarding the location of the proposed facility.

Jared Overmyer, 1514 Cedar Lane expressed concerns regarding traffic and increased safety issues. He expressed concerns regarding the location of the proposed location due to its proximity to the residential areas.

Mercedes Garcia, Ashlan Drive asked everyone opposed to stand and asked Commissioners to consider the impact their decision will have on the proposed facility will have on the neighborhood. She asked why no cons were listed on the staff report.

Kevin Burdacky asked to speak.

Commissioner Clement asked that Mr. Burdacky wait until the public finished speaking.

Marci Berel, Puffin Lane opposed the facility and suggested the City work harder to bring more retail that will benefit the community.

Pam Hanson, 180 Grace Court opposed the facility and expressed concern regarding drug use and the increased need for public safety and services.

Allison Wheaton 543 Puffin Lane spoke and expressed concern regarding increased traffic.

Mariela Ochoa, 543 Puffin Lane expressed concern regarding glamorizing the cannabis business to improve the community and opposed the location of the proposed facility.

Connie Wlaschin, 523 C Street opposed the location of the facility as well as the sale of the property for \$91,000 and conditions of the DDA.

Laura Patterson, 1606 Big Sur expressed concern regarding the facility and suggested bringing more compatible retail.

Kevin Burdacky responded to some of the public comment and stated that Valley Pure is listening. He withdrew the request to operate at the site, stating they will work find a more suitable site.

Jameson Birrell, 688 Crescent expressed concern regarding noticing procedures and questioned agendizing the item at the same time parents are busy getting kids ready to go back to school. He also expressed concern regarding the applicant's mixed message regarding their empathy toward the concerns of the community members.

Public hearing closed at 8:25 p.m.

City Attorney Linden clarified for the record that based by the statement made on the record by Kevin Burdacky representing Valley Pure Lemoore, the application and DDA have been withdrawn without prejudice for any future application whether here or anywhere else and stated there is nothing for the Commission to vote on.

A request for motion was not made.

ITEM NO. 6 Director's Report

Community Development Director Holwell provided information regarding:

Grocery Outlet Grand Opening to be held August 29, 2019.

Holwell responded to Commissioner Rogers request during the last meeting for an update on the mixed use project approved for the southeast corner of Hanford-Armona Road and Highway 41. She stated that the developer is having trouble with compaction in areas of the property slated for multi-family that has slowed the development for phase I of the project. The developer has suggested that they may request an alternative use for the troubled areas.

Holwell responded to public comments made earlier in the meeting regarding staff's inadequate noticing of the public hearing. She stated that a process is followed as required by law and that the notice was published 10 days prior to the meeting as well as sent to property owners within a 300' radius. She stated that the process worked, because everyone showed up to voice their concerns.

Holwell responded to public comments made earlier in the meeting regarding staff's lack of due diligence in determining con's for the project. She stated that pro's and con's were considered when writing the staff report, but that the con's (or concerns) were unknown at the time due to the lack of public opposition during the recent hearings for the cannabis ordinance.

ITEM NO. 7 – Commission's Reports and Requests for Information

Commissioner Meade asked for more information regarding the 156 acre development Holwell reported on at the last meeting and if the project would require LAFCO review.

Holwell reported that the City does not have an application yet, but that the developer did provide information regarding the residential project during a recent City Council meeting and asked for an informal head nod from Council Members if they are interested in annexing the property to accommodate such a project before moving forward.

Holwell also reported that the property for the proposed project will be located north east of Glendale Avenue and Lemoore (18th) Avenue and will require a full EIR which is expensive and time consuming.

Commissioner Rogers asked why the City doesn't post agenda topics and or public hearing notices via social media outlets.

Commissioner Etchegoin thanked the public for coming out. He agreed with Commissioner Rogers's suggestion regarding public notification through social media.

Holwell responded to Commissioners concerns regarding noticing by briefly explaining City Policy and noted the possible repercussions if staff sets a precedent of working outside that policy and then fails to follow that precedent every time.

Commissioner Clement thanked Commissioners and staff.

ITEM No. 8 – Adjournment

The meeting adjourned at 8:38 PM.

Approved the ___ day of _____ 2020.

APPROVED:

ATTEST:

, Chairperson

Kristie Baley, Commission Secretary



711 West Cinnamon Drive • Lemoore, California 93245 • (559) 924-6744

Staff Report

Item No: 9

To: Planning Commission

From: Steve Brandt, City Planner

Date: February 4, 2020

Meeting Date: February 10, 2020

Subject: Public Hearing Resolution No. 2020-01 recommending approval of Ordinance 2020-___, Approving a First Amendment to the Disposition and Development Agreement between the City of Lemoore and KKAL, LP, and Addendum to IS/Mitigated Negative Declaration. The site is located north of Idaho Avenue between SR 41 and 19th Avenue (APNs 024-051-030 and 024-051-031).

Strategic Initiative:

- | | |
|--|---|
| <input type="checkbox"/> Safe & Vibrant Community | <input checked="" type="checkbox"/> Growing & Dynamic Economy |
| <input type="checkbox"/> Fiscally Sound Government | <input type="checkbox"/> Operational Excellence |
| <input type="checkbox"/> Community & Neighborhood Livability | <input type="checkbox"/> Not Applicable |

Proposed Motion:

I moved to approve Resolution 2020-01, recommending approval of the First Amendment to the Disposition and Development Agreement and Joint Escrow Instructions between City of Lemoore and KKAL, LP, and recommending approval of the Addendum to Initial Study/Mitigated Negative Declaration.

Subject/Discussion:

On December 4, 2018, the City Council approved a Disposition and Development Agreement (DDA) between the City of Lemoore and KKAL, LP for the development of approximately 83.5 acres located north of Idaho Avenue between SR 41 and 19th Avenue.

KKAL, LP desires to convey approximately 24 of the 83.5 acres to allow the City to construct a drainage facility. In exchange, KKAL, LP would receive a 12-acre City owned parcel located on the northwest corner of Idaho and 19th Avenue to allow construction of a manufacturing, distribution, and warehouse center of approximately 1,025,000 square

feet of building space on the remaining acreage totaling approximately 71.5 acres (59.5 ac. + 12 ac.).

An Addendum to the project's Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared in accordance with the California Environmental Quality Act (CEQA). The Addendum finds that there are no new significant environmental effects that were not previously evaluated and mitigated by the IS/MND.

Financial Consideration(s):

The Amendment to the DDA and Addendum to IS/MND will not result in any new financial impacts.

Alternatives or Pros/Cons:

Pros:

- Economic benefits
- Job creation

Cons:

- None noted

Staff Recommendation:

Staff recommends conducting a public hearing to accept public comment and then adopt Resolution 2020-01, recommending approval of the Lemoore City Council of Ordinance 2020-___, approving a First Amendment to the DDA recommending approval of the Addendum to IS/MND.

Attachments:

- ☒ Resolution:
 - ☒ Draft Ordinance: 2020-___
 - ☒ Map
 - ☐ Contract
 - ☒ Other
- List: Addendum to MND
Amendment to DDA

Review:

- ☐ Asst. City Manager
- ☐ City Attorney
- ☐ City Clerk
- ☐ City Manager
- ☐ Finance

Date:

RESOLUTION NO. 2020-01

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
RECOMMENDING APPROVAL OF THE FIRST AMENDMENT TO THE DISPOSITION AND
DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LEMOORE AND KKAL, LP FOR
DEVELOPMENT OF APPROXIMATELY 83.5 ACRES LOCATED NORTH OF IDAHO AVENUE
BETWEEN SR 41 AND 19th AVENUE IN THE CITY OF LEMOORE AND RECOMMENDING
APPROVAL OF AN ADDENDUM TO THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on February 10, 2020, at 7:00 p.m. on said day, it was moved by Commissioner _____, seconded by Commissioner _____, and carried that the following Resolution be adopted:

WHEREAS, KKAL, LP has requested an amendment to a previously approved Disposition and Development Agreement (DDA) between KKAL, LP and the City of Lemoore to establish the terms on which KKAL, LP will convey approximately 24 acres of the Project 83.5 acres (a southern portion of APN 024-051-031) to allow the City to construct a drainage facility and in exchange the City to convey 12 acres located on the northwest corner of Idaho Avenue and 19th Avenue (APN 024-051-030) to the Developer to construct a portion of the Project; and

WHEREAS, the proposed site is vacant and is located within the jurisdictional boundaries of the City of Lemoore; and

WHEREAS, the zoning on the parcel is ML (Light Industrial); and

WHEREAS, An Initial Study/Mitigated Negative Declaration (IS/MND) was previously adopted by the Lemoore City Council, and an Addendum to that MND has been prepared in compliance with the California Environmental Quality Act (CEQA); and

WHEREAS, the public hearing for this item was duly noticed for the Planning Commission's February 10, 2020, meeting.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby recommends that the City Council approve the First Amendment to the DDA and approve the Addendum to the IS/MND.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on February 10, 2020, by the following votes:

AYES:

NOES:

ABSTAINING:

ABSENT:

APPROVED:

, Chairperson

ATTEST:

Kristie Baley, Commission Secretary

ORDINANCE NO. 2020-

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMOORE
APPROVING A FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT
AGREEMENT BETWEEN THE CITY OF LEMOORE AND KKAL, LP AND AN
ADDENDUM TO THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

WHEREAS, On December 4, 2018, the Lemoore City Council approved a Disposition and Development Agreement with KKAL, LP for development of approximately 83.5 acres (“Development Agreement”) and an Initial Study/Mitigated Negative Declaration; and

WHEREAS, KKAL, LP desires to convey 24 of the Project 83.5 acres to allow City to construct a drainage facility in exchange. KKAL, LP would receive an additional city owned 12 acre parcel on the corner of Idaho Avenue and 19th Avenue (APN: 024-051-030) to construct the Project.

THE CITY COUNCIL OF THE CITY OF LEMOORE DOES ORDAIN AS FOLLOWS:

Section 1. Incorporation of Agreement.

This ordinance incorporates the establishment of the First Amendment to the Disposition and Development Agreement (“First Amendment”) between the City and KKAL, LP (“Developer”), a copy of which is attached to this ordinance as **Exhibit A**.

Section 2. Hearing before the Planning Commission.

On February 10, 2020, in accordance with Government Code Section 65867, the Planning Commission conducted a noticed public hearing on an application to consider the First Amendment. During the hearing, the Planning Commission received and considered evidence and testimony. After the hearing concluded, the Planning Commission forwarded to the City Council a recommendation to approve the First Amendment and an Addendum to the Initial Study/Mitigated Negative Declaration for the First Amendment.

Section 3. Hearing before the City Council; Findings.

On _____, in accordance with Government Code Section 65867, the City Council conducted a noticed public hearing on the First Amendment. During the hearing, the City Council received and considered evidence and testimony concerning the proposed Addendum to the Initial Study/Mitigated Negative Declaration and First Amendment. Based on the information in the application and the evidence and testimony received at the hearing, the City Council approved the Addendum to the Initial Study/Mitigated Negative Declaration and finds that the proposed First Amendment:

- a) Is consistent with the objectives, policies, and general land uses specified in the general plan and any applicable specific plans;
- b) Is compatible and in conformity with public convenience, general welfare, and good land use and zoning practice;

- c) Is not detrimental to the health, safety, and general welfare of the city;
- d) Does not adversely affect the orderly development of property or the preservation of property values.
- e) Is in the best interest of City and that the public health, safety, and welfare will be served by entering into this Agreement.
- f) Will contribute to the economic growth of City.
- g) Will facilitate development of the property subject to the First Amendment, which should be encouraged in order to meet important economic, social, environmental, or planning goals of the specific community plan.
- h) Without the First Amendment, Developer would be unlikely to proceed with development of property in the manner proposed.
- i) Requires Developer to incur substantial costs to provide public improvements, facilities, or services, including but not limited to, the mitigation identified in the Initial Study/Mitigated Negative Declaration, from which the general public will benefit, including job creation, enhanced tax revenue and diversification of the city economic base.

Section 4. Approval and Authorization.

The City Council hereby approves the Addendum to the Initial Study/Mitigated Negative Declaration and the First Amendment. The City Council hereby authorizes the Mayor to sign on the City's behalf, on or after the effective date of this ordinance and the City Manager to take all necessary steps to implement the First Amendment.

The foregoing Ordinance was introduced at a Regular Meeting of the City Council of the City of Lemoore held on the _____ day of _____, 2020, and passed and adopted at a regular meeting of the City Council held on the _____ day of _____, 2020 by the following vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

ATTEST:

APPROVED:

Marisa Avalos, City Clerk

Edward Neal, Mayor

EXHIBIT A: First Amendment

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DRAFT

FIRST AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT AND JOINT ESCROW INSTRUCTIONS BETWEEN CITY OF LEMOORE AND KKAL, LP, A CALIFORNIA LIMITED PARTNERSHIP

WHEREAS, on December 4, 2018 the Lemoore City Council approved a Disposition and Development Agreement with KKAL, LP for development of approximately 83.5 acres (“Development Agreement”) and an Initial Study/Mitigated Negative Declaration; and

WHEREAS, the proposed development project involves the conveyance of the 83.5 acres (APN 024-051-031) from the City to KKAL, LP to allow the construction of a manufacturing, distribution and warehouse center of approximately 1,025,000 square feet of building space with related secondary economic benefit (“Project”); and

WHEREAS, KKAL, LP is proposing to exchange 24 of the 83.5 acres to allow the City to use for storm drainage purposes and the City to convey 12 acres located north of Idaho Avenue between SR 41 and 19th Avenue (APN 024-051-030); and

WHEREAS, the City held a public hearing on _____ consistent with State law. The Lemoore City Council finds and determines that the land uses on the Project will remain consistent with the existing development project proposal and comply with all necessary findings to approve this First Amendment to Disposition and Development Agreement (“First Amendment”); and

WHEREAS, the Council finds that the Project as proposed in the First Amendment is consistent with the Addendum to the Initial Study/Mitigated Negative Declaration.

NOW THEREFORE, City and KKAL, LP agree as follows:

1. Approve the First Amendment and authorize the Mayor to sign on the City’s behalf, on or after the effective date of the ordinance.
2. Except as expressly amended the original terms of the Disposition and Development Agreement remain in full force and effect.

[SIGNATURES FOLLOW ON THE NEXT PAGE]

DRAFT

IN WITNESS WHEREOF, the City and Developer have executed this First Amendment to the Disposition and Development Agreement as of the date set forth below.

Dated: _____

DEVELOPER:

KKAL, LP, a California Limited Partnership

By: _____

Dated: _____

CITY:

City of Lemoore, a municipal corporation and general law city in the State of California

By: _____
Edward Neal, Mayor

ATTEST:

By: _____
Marisa Avalos, City Clerk

APPROVE AS TO FORM:

By: _____
Mary F. Lerner, City Attorney

ADDENDUM TO

Initial Study/Mitigated Negative Declaration for Kashian Industrial Development

City of Lemoore

Prepared for:



City of Lemoore
711 W. Cinnamon Drive
Lemoore, CA 93245

Contact Person: Judy Holwell, Community Development Director
Phone: (559) 924-6744 Ext. 740

Consultant:



901 East Main Street
Visalia, CA 93292
Contact: Steve Brandt, City Planner
Phone: (559) 733-0440
Fax: (559) 733-7821

February 2020

ADDENDUM TO INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

As Lead Agency under the California Environmental Quality Act (CEQA), the City of Lemoore reviewed the Project described below to determine whether it could have a significant effect on the environment because of its development. In accordance with CEQA Guidelines § 15382, “[s]ignificant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An Initial Study/Mitigated Negative Declaration was prepared, and was then adopted by the Lemoore City Council on December 4, 2018. This document is an Addendum to that Initial Study/Mitigated Negative Declaration, and has been prepared in accordance with CEQA Guidelines §15162 and §15164.

The Addendum has been prepared because KKAL, LP is proposing to exchange 24 acres of the 83.5-acre site to allow the City to use for storm drainage purposes and the City to convey 12 acres located on the northwest corner of Idaho Avenue and 19th Avenue (APN 024-051-030).

Project Name

Amendment to DDA: Kashian Industrial Development

Project Location

The site is located north of Idaho Avenue between SR 41 and 19th Avenue in the southern region of the City of Lemoore. The project is within Assessor’s Parcel Numbers (APNs) 024-051-030 and 024-051-031.

Project Description

The request by KKAL, LP for an amendment to an existing Deposition and Development Agreement (DDA) that would exchange 24 acres of the 83.5-acre site to allow the City to use for storm drainage purposes and the City to convey 12 acres located on the northwest corner of Idaho Avenue and 19th Avenue.

Mailing Address and Phone Number of Contact Person

John Kashian
Owner/Applicant
265 E. River Park Circle – Suite 270
Fresno, CA 93720
(559) 696-9584

Purpose of Addendum

When a proposed project is changed or there are changes in environmental setting, a determination must be made by the lead agency as to whether an Addendum or Subsequent EIR or MND is prepared. CEQA Guidelines §15162 and §15164 sets forth criteria to assess which environmental document is appropriate. The criteria for determining whether an Addendum or Subsequent MND is prepared are outlined below. If the criteria below are true, then an Addendum is the appropriate document:

- No new significant impacts will result from the project or from new mitigation measures.
- No substantial increase in the severity of environmental impact will occur.
- No new feasible alternatives or mitigation measures that would reduce impacts previously found not to be feasible have, in fact, been found to be feasible.

Based upon provided information in this document, the changes to the Approved Project will not result in any new significant impacts or substantially increase the severity of impacts previously identified in the IS/MND, and there are no previously infeasible alternatives that are now feasible. None of the other factors set forth in §15162(a)(3) are present. Therefore, an Addendum is appropriate, and this Addendum has been prepared to address the environmental effects of the refinements to the project.

Introduction

An Addendum to the previously approved DDA is being proposed because KKAL, LP is proposing to exchange 24 acres of the 83.5-acre site to allow the City to use for storm drainage purposes and the City to convey 12 acres located on the northwest corner of Idaho Avenue and 19th Avenue.

Project Location

The site is located north of Idaho Avenue between SR-41 and 19th Avenue in the southern region of the City of Lemoore. The project is within Assessor's Parcel Numbers (APNs) 024-051-030 and 024-051-031.

Surrounding Land Uses

The area surrounding the proposed industrial site consists of undeveloped farmland to the west (beyond SR-41). The southern portion of the site currently contains a storm drainage basin. This basin will remain in place and be expanded to the west within the site. The site and surrounding sites to the north, east, and south are zoned Light Industrial.

Evaluation

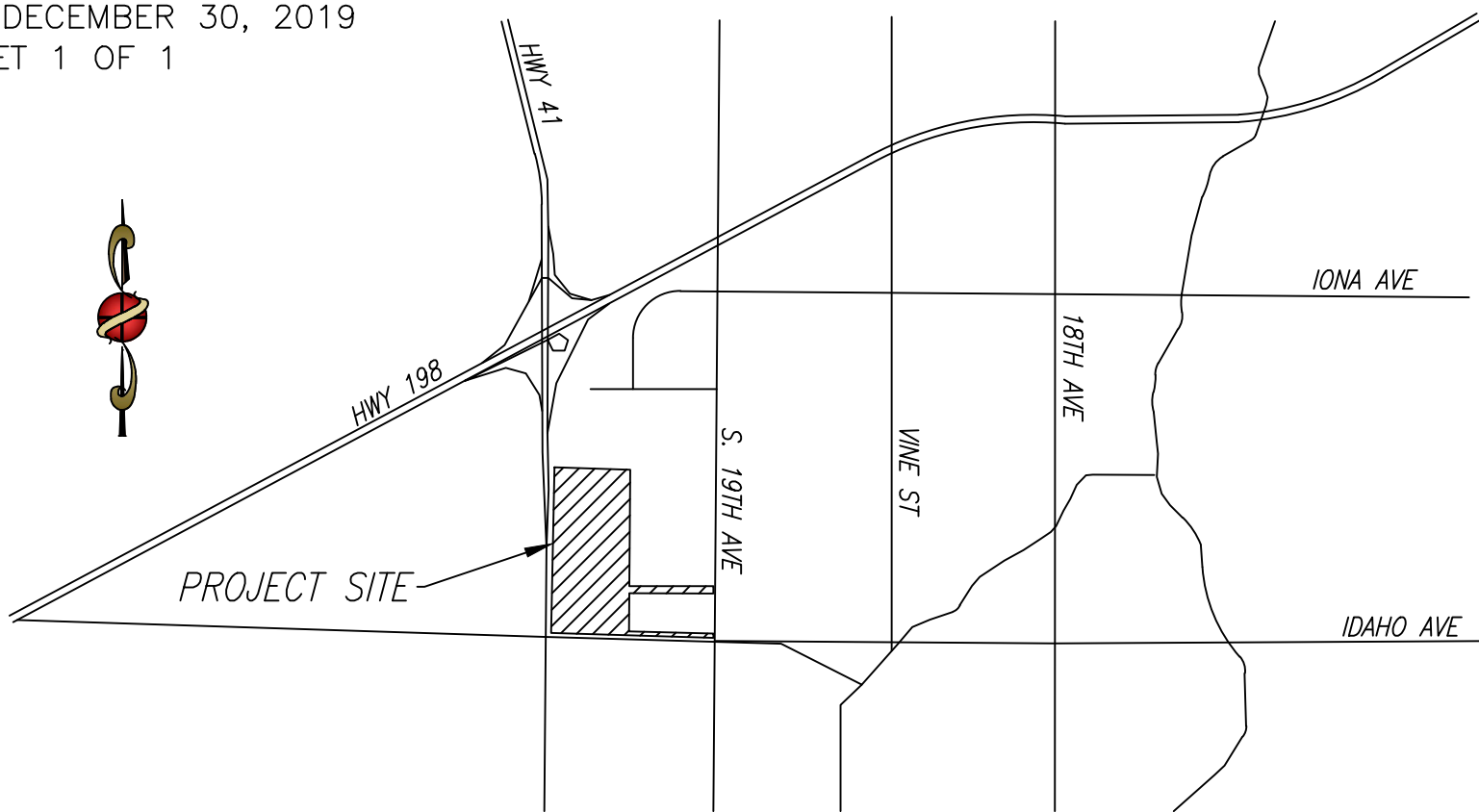
The original Initial Study/Mitigated Negative Declaration evaluated the development of the entire site with the storm drain basin being reclaimed for development and moved to an adjacent site. With the approval of the DDA, the storm drain basin will remain in its location and will be expanded at its current location, while the adjacent site to the east will be developed. All original mitigation measures will remain in effect.

Conclusion

The revisions and additions to the Initial Study/Mitigated Negative Declaration described above do not result in new significant impacts, nor do they increase the severity of impacts previously identified. Based on the criteria in CEQA Guidelines §15162 and §15164, an Addendum is the appropriate environmental document for this situation.

TENTATIVE MAP
INDUSTRIAL PARK

IN THE CITY OF LEMOORE
KINGS COUNTY, CALIFORNIA
PREPARED ON DECEMBER 30, 2019
SHEET 1 OF 1



SITE INFORMATION

LAND USE
EXISTING: LIGHT INDUSTRIAL
PROPOSED: LIGHT INDUSTRIAL
ZONING
EXISTING: ML
PROPOSED: ML
SITE AREA
GROSS AREA = ±84.22 ACRES
NET AREA = ±84.22 ACRES
NUMBER OF LOTS
22
DENSITY
0.26 UNITS PER ACRE
FLOOD ZONE
FEMA FLOOD ZONE X

ASSESSOR'S PARCEL NUMBERS
024-051-031
SITE LOCATION
1655 S. 19TH AVE.
LEMOORE, CALIFORNIA
OWNER
JOHN KASHAN
265 E. RIVER PARK CIR. #150
FRESNO, CA 93720

VICINITY MAP

NOT TO SCALE

LEGAL DESCRIPTION

THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE COUNTY OF KINGS, CITY OF LEMOORE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT CERTAIN PARCEL OF LAND LYING IN BOTH THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 21, AND THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 19 SOUTH, RANGE 20 EAST, MOUNT Diablo BASELINE AND MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT TOWNSHIP PLAT APPROVED OCTOBER 28, 1869, IN THE CITY OF LEMOORE, COUNTY OF KINGS, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOT 11 OF TRACT NO. 614, RECORDED IN VOLUME 14 OF LICENSED SURVEYOR'S PLATS AT PAGE 42, IN SAID COUNTY.

TOGETHER WITH THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 21; EXCEPTING THEREFROM THE WEST THIRTY FEET OF THE NORTHEAST QUARTER OF SAID SECTION 21; AND THE SOUTH FIVE ACRES OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 21.

ALSO EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 21; THENCE ALONG THE WEST LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER, SOUTH 00° 26' 45" WEST, A DISTANCE OF 153.84 FEET; THENCE PERPENDICULAR TO SAID WEST LINE, SOUTH 89° 33' 15" EAST, A DISTANCE OF 30.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CALIFORNIA HIGHWAY 41, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG A LINE PERPENDICULAR TO SAID WEST LINE, SOUTH 89° 33' 15" EAST, A DISTANCE OF 208.00 FEET; THENCE SOUTH 84° 14' 00" EAST, A DISTANCE OF 125.01 FEET TO A POINT 155.00 FEET SOUTHERLY FROM (MEASURED AT RIGHT ANGLE TO) THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 21; THENCE PARALLEL WITH SAID NORTH LINE, SOUTH 87° 54' 56" EAST, A DISTANCE OF 525.74 FEET; THENCE ALONG A LINE PARALLEL WITH SAID WEST LINE, SOUTH 00° 26' 45" WEST, A DISTANCE OF 108.85 FEET TO THE NORTH LINE OF THE SOUTH 5 ACRES OF SAID NORTH HALF; THENCE ALONG SAID NORTH LINE OF THE, SOUTH 5 ACRES, NORTH 88° 00' 10" WEST, A DISTANCE OF 858.31 FEET TO A LINE 30.00 FEET EAST FROM (MEASURED AT RIGHT ANGLE TO) THE WEST LINE OF THE AFOREMENTIONED NORTH HALF, ALSO BEING THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF CALIFORNIA HIGHWAY 41; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 00° 26' 45" EAST, A DISTANCE OF 1087.24 FEET TO THE TRUE POINT OF BEGINNING.

BASED ON BEARINGS IS THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 20 EAST, MOUNT Diablo BASELINE AND MERIDIAN, WHICH BEARS SOUTH 87° 54' 56" EAST, AS SHOWN ON THE MAP RECORDED IN BOOK 8 OF PARCEL MAPS AT PAGE 80, KINGS COUNTY RECORDS.

EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA, RECORDED JANUARY 19, 1996, AS INSTRUMENT NO. 96-01168 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THOSE PORTIONS THEREOF GRANTED TO CITY OF LEMOORE, A MUNICIPAL CORPORATION, "FOR PUBLIC ROAD AND UTILITY PURPOSES," IN THE GRANT DEEDS RECORDED AUGUST 21, 2002, AS INSTRUMENT NOS. 02- 18214 AND 02-18216 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF GRANTED TO THE ARTESIA COMPANIES, INC. IN THE GRANT DEED DATED AUGUST 5, 2002, AND RECORDED SEPTEMBER 5, 2002, AS INSTRUMENT NO. 02-19417 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN THE LANDS GRANTED TO RICHARD C. WILLS, ET AL, IN THE GRANT DEED DATED DECEMBER 2, 2002, AND RECORDED APRIL 18, 2003, AS INSTRUMENT NO. 03-09947 OF OFFICIAL RECORDS.

ALSO EXCEPTING ALL MINERALS EVERY KIND AND NATURE WHATSOEVER INCLUDING, WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, PETROLEUM, OIL, ASPHALTUM, GAS, AND ALL OTHER HYDROCARBON SUBSTANCES, CARBON DIOXIDE, NITROGEN, SULPHUR DIOXIDE, HELIUM AND ALL OTHER NATURAL GASES, TOGETHER WITH THE EXCLUSIVE RIGHT TO PROSPECT, BORE, DRILL, FOR AND PRODUCE ANY OR ALL OF SUCH MINERALS, EITHER BY MEANS OF FACILITIES LOCATED ON SAID LAND OR LOCATED ON ADJOINING OR NEARBY LANDS; AND FURTHER RESERVING THE EXCLUSIVE EASEMENTS AND RIGHT TO BORE OR DRILL IN AND THROUGH SAID ABOVE-DESCRIBED PROPERTY TO EXPLORE FOR AND EXTRACT PETROLEUM, OIL, ASPHALTUM, GAS, AND OTHER HYDROCARBON SUBSTANCES, NITROGEN, CARBON DIOXIDE, SULPHUR DIOXIDE, HELIUM AND ALL OTHER NATURAL GASES AND MINERALS OF EVERY KIND AND NATURE WHATSOEVER FROM ADJOINING OR NEARBY LANDS; ALSO RESERVING THE RIGHT TO DRILL FOR, DEVELOP, AND USE SUCH WATER ON SAID ABOVE-DESCRIBED PROPERTY AS MAY BE REQUIRED FOR DRILLING AND/OR PRODUCING OPERATIONS ONLY; AS EXCEPTED, RETAINED AND RESERVED IN THAT CERTAIN DEED FROM SOCONY MOBIL OIL COMPANY, INC., A NEW YORK CORPORATION, TO THOMAS H. HESS, ETAL, DATED DECEMBER 30, 1963 IN BOOK 844 AT PAGE 306 OF OFFICIAL RECORDS, AS DOCUMENT NO. 16708.

APN: 024-051-031
024-080-066

PREPARED BY:



NOTES:

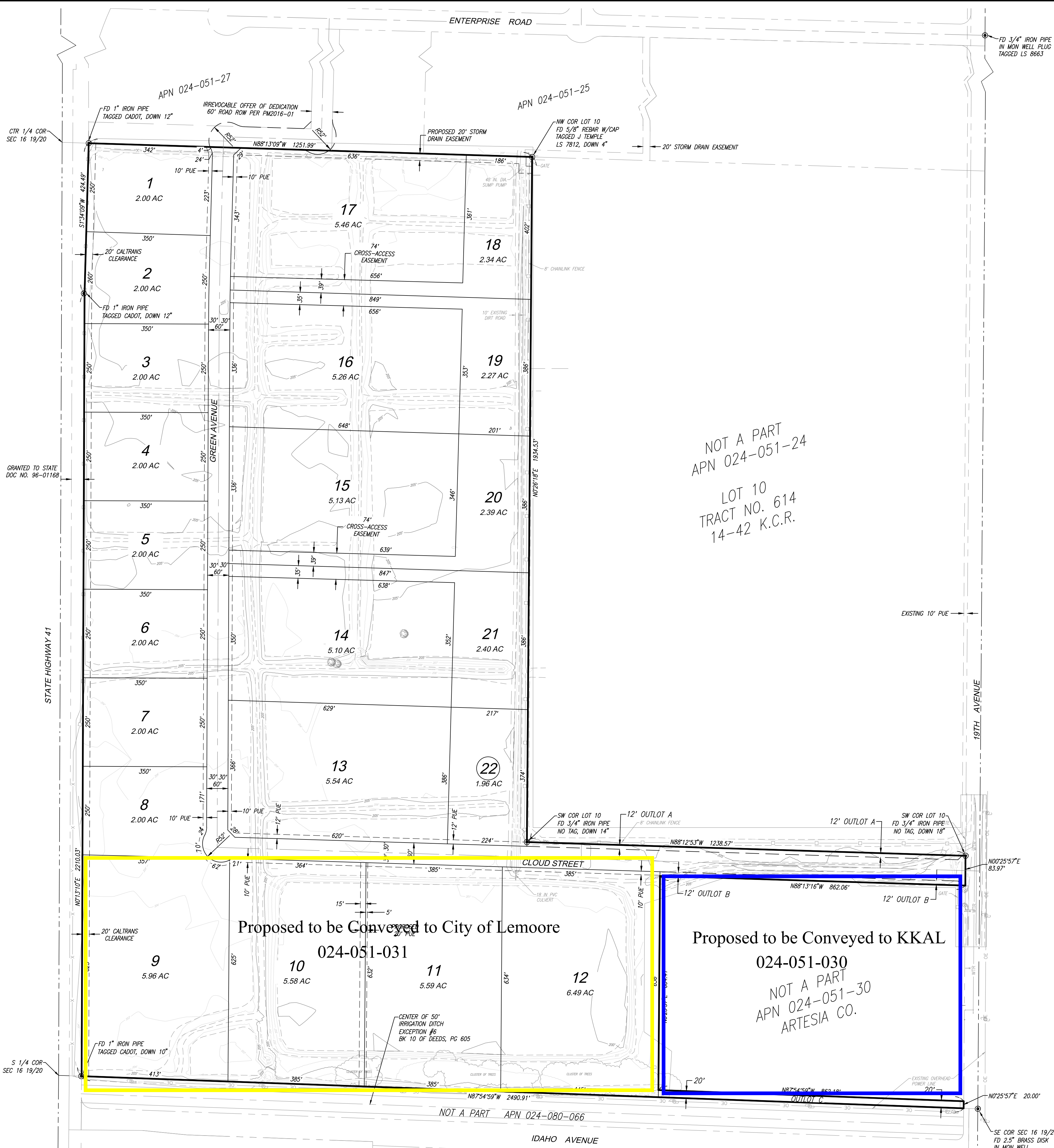
1. INDUSTRIAL USE INTENDED ON ALL LOTS OF THE PROPOSED LAND.
2. ALL BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY ZONING CODES.
3. ALL PROPOSED UTILITIES SHALL BE UNDERGROUND.
4. ALL PROPOSED UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF LEMOORE STANDARDS AND SPECIFICATIONS.
5. EACH INDIVIDUAL PAD SHALL SUBMIT FOR A BUILDING PERMIT.
6. THE PROPOSED PROJECT WILL NOT BE PHASED.
7. NO EXISTING TREES ARE IN THE SUBJECT PROPERTY.
8. ALL EXISTING STRUCTURES ON-SITE SHALL BE REMOVED.
9. ALL ON-SITE AND OFF-SITE IMPROVEMENTS SHALL CONFORM WITH THE DESIGN STANDARDS IN ACCORDANCE WITH THE CITY OF LEMOORE STANDARDS AND SPECIFICATIONS.
10. PROPOSED SITE IMPROVEMENTS SHALL INCLUDE SITE GRADING AND DRAINAGE, UTILITY SERVICE AS INSTRUCTED BY THE UTILITY AGENCIES, DRAINAGE FACILITIES AS REQUIRED, ON-SITE PONDING, AND CONSTRUCTION OF ROADWAYS IMPROVEMENTS.
11. NO GRADE DIFFERENCES OF 6" OR MORE EXIST ADJACENT TO THE PROPERTY.
12. ABANDON ALL WELL AND SEPTIC TANKS TO KINGS COUNTY STANDARDS.
13. NO CANALS OR PRIVATE DITCHES EXIST ON SUBJECT PROPERTY.
14. OUTLOTS A, B & C TO BE DEDICATED IN FEE TO THE CITY OF LEMOORE FOR RIGHT OF WAY PURPOSES.

LEGEND

- EXISTING BOUNDARY LINE
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- PROPOSED CENTERLINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- PROPOSED RIGHT OF WAY
- SECTION LINE
- CONTOUR LINES
- OVERHEAD POWER LINES
- EXISTING WATER MAIN



SCALE 1" = 150'
0 75' 150' 300'





711 W. Cinnamon Drive • Lemoore, California 93245 • Planning (559) 924-6744
Community Development Department

Item No. : 10

To: Lemoore Planning Commission
From: Steve Brandt, City Planner
Date: February 10, 2020
Subject: Introduction of Lacey Ranch Project

Beginning in the spring of 2019, the City Planning and Public Works staff have been meeting with the Assemi Group representative, Jeff Roberts, about the possibility of amending the Lemoore General Plan to allow a 156-acre residential neighborhood north of the existing City Limits. The Assemi Group has purchased the property and would like to develop the site over a multi-year period as a residential neighborhood with a mix of housing types and a neighborhood park. The Lemoore General Plan, adopted in 2008, does not anticipate this area to be developed and designates most of the land for agricultural uses.

The roughly square-shaped area is bounded by 18th Avenue (Lemoore Avenue) on the west, Glendale Avenue on the south, Lacey Boulevard on the north, and an irrigation ditch on a portion of the east side. There are no structures on the site. In the last few years, the site has been farmed with row crops. The City's Well 11, water tank, and solar panels are located near the southwest corner of the site but are not part of the site.

The processing of the project will take considerable effort and expense by both the applicant and the City staff. The project will require the following package of planning applications:

- General Plan Amendment to modify the Urban Development Boundary, add land use designations, add additional arterial and/or collector street designations, and modify some General Plan policies. This requires Council approval. (The Planning Commission will make a recommendation.)
- Prezone the site with zone districts that would become effective when the site is annexed. This requires Council adoption. (The Planning Commission will make a recommendation.)
- Major Site Plan Review of the layout of the neighborhood. This requires Planning Commission approval. (The Council will also get to review it with the General Plan Amendment.)

- Planned Unit Development to allow different lot sizes than the standard zoning ordinance requirements and to set up the overall site as an “area plan” ahead of the approval of tentative subdivision maps. This requires Planning Commission approval. (The Council will also get to review it with the General Plan Amendment.)
- Amendment to Lemoore’s Sphere of Influence (SOI). This requires adoption by Kings County Local Area Formation Commission (LAFCO). LAFCO staff have indicated that the SOI Amendment would also require a corresponding update to the Municipal Services Review (MSR).
- Annexation of the site into the City limits. This requires initiation by the City Council and approval by LAFCO.
- Environmental Impact Report (EIR) to satisfy the requirements of the California Environmental Quality Act (CEQA). This requires certification by the City Council.
- Tentative Subdivision Map(s) to divide the site into separate lots for sale. This requires approval by the Planning Commission. Tentative maps will likely be submitted in phases after all the other approvals have been obtained.

A Program EIR was prepared and certified when the Lemoore General Plan was adopted in 2008. Since the project site was designated for agriculture in the General Plan, the EIR did not analyze any potential environmental effects associated with potentially developing the site. Therefore, a new project-level EIR will need to be prepared to analyze the potential environmental effects of developing the site. The applicant will be hiring an environmental consultant to prepare the EIR and associated technical studies. City staff, QK (in its capacity as contract city planner and city engineer), and the City Attorney will review the EIR for technical and legal adequacy prior to its release.

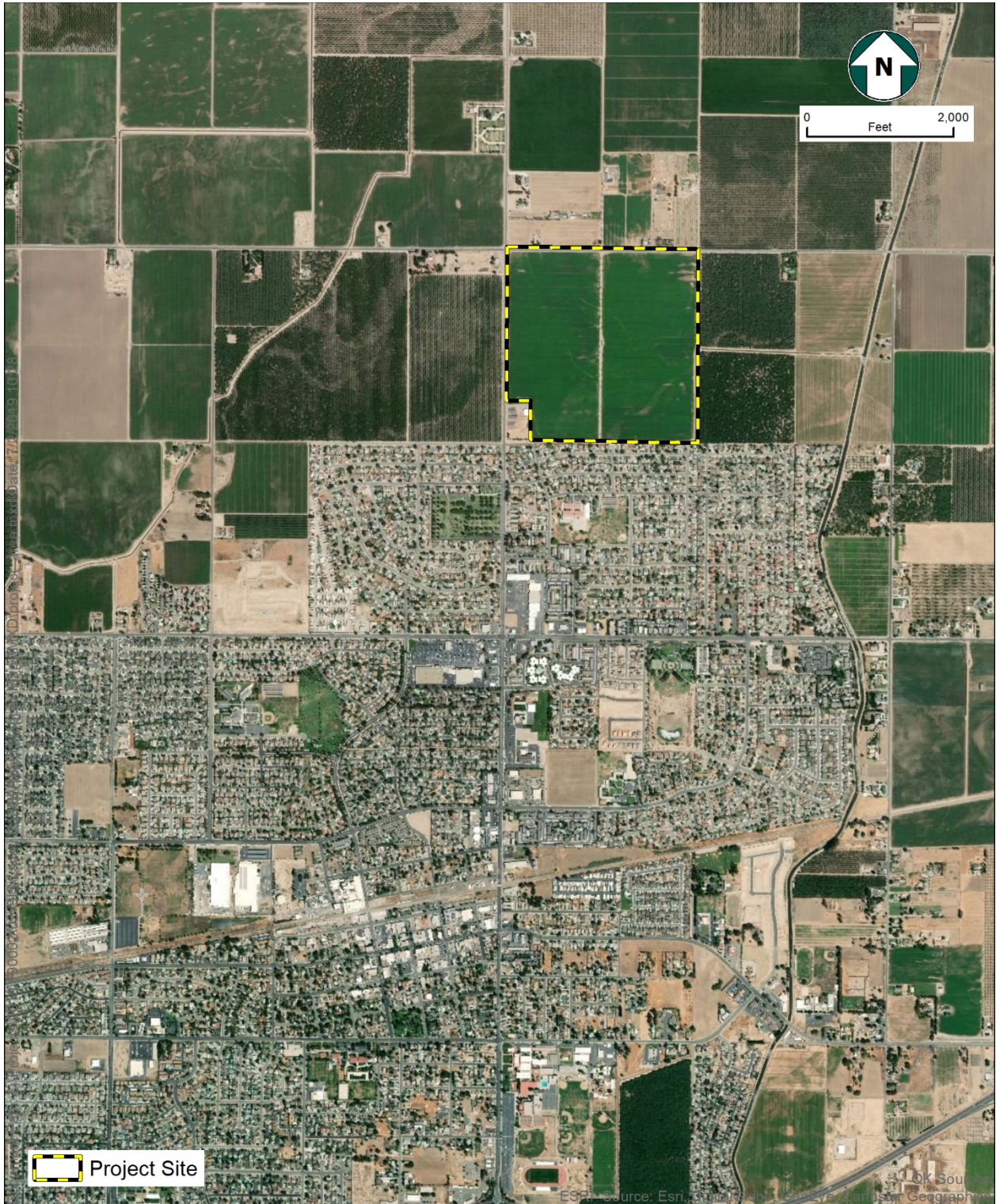
The General Plan has several goals and policies that are relevant to this proposal. Some of these policies will require amending for the Council to approve the project as proposed. The exact policies that could require amendments will not be known until the application has been finalized and City staff can analyze its consistency with the policies. The project will require that the City consult and coordinate with Kings County, Kings County LAFCO, Lemoore Canal & Irrigation Company, San Joaquin Valley Air Pollution Control District, and other State and regional agencies.

Once the project is ready for public hearings, they will occur in this order:

1. Planning Commission public hearing to review all planning applications and make recommendation to City Council
2. City Council public hearing to certify the EIR, review all planning applications, and make decision
3. LAFCO public hearing to review the Sphere of Influence amendment and decision on annexation application

There are no decisions to be made or discussions to be had at this time. We are merely updating the Planning Commission so that you are aware of the proposal since the applicant has already held one neighborhood meeting about the project.

Location Map
Site Outlined in Black/Yellow



Aerial Photo of Site



General Plan Map

VICINITY MAP

City of Lemoore 2030 General Plan

