

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

July 8, 2024
5:30 p.m.

1. PLEDGE OF ALLEGIANCE
2. CALL TO ORDER AND ROLL CALL
3. PUBLIC COMMENT – **Public comment will be in accordance with the attached policy.** 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 three (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 Commission will be provided to the Commission Secretary for distribution to the Commission and appropriate staff. The public will have an opportunity to comment on items on the agenda once the item has been called and the Chair opens the item to the public.
4. APPROVAL OF MINUTES – Regular Meeting, May 13, 2024
5. REPORT AND RECOMMENDATION – A request by Lennar Homes of California, Inc. to extend approval of Vesting Tentative Subdivision Map No. 2017-01, Reverie Tract 920 and accompanying Planning entitlements for One Year (APN: 021-570-001 and 021-560-001). An Initial Study/Mitigated Negative Declaration was adopted pursuant to the California Environmental Quality Act (CEQA) on June 20, 2017, in conjunction with the annexation of the property.
6. PUBLIC HEARING – Public Comment and Consideration for adoption of Resolution No. 2024-04, approving Conditional Use Permit No. 2024-01: a request by Beal Properties (Day and Night Market) to allow the on-site sale of alcoholic beverages (Type 21 Alcohol and Beverage Control (ABC) license) for off-site consumption at 10 N. Belle Haven Drive in the City of Lemoore (APN 023-480-045); and determining that the project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) per Class 1 (Existing Facilities) Section 15301.
7. DIRECTORS REPORT
8. COMMISSION REPORTS / REQUESTS
9. ADJOURNMENT

Upcoming Meetings
Regular Meeting of the Planning Commission, August 12, 2024

Agendas for all City Council 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. Written communications from the public for the agenda must be received by the City Clerk's Office no less than seven (7) days prior to the meeting date. 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, July 8, 2024, at Council Chamber, 429 C Street and Cinnamon Municipal Complex, 711 W. Cinnamon Drive, Lemoore CA on July 3, 2024.

//s//
Kristie Baley, Commission Secretary



PLANNING COMMISSION REGULAR MEETING

July 8, 2024 @ 5:30 p.m.

The Planning Commission will hold its public meetings in person, with a virtual option for public participation based on availability. The City of Lemoore utilizes Zoom teleconferencing technology for virtual public participation; however, the City makes no representation or warranty of any kind, regarding the adequacy, reliability, or availability of the use of this platform in this manner. Participation by members of the public through this means is at their own risk. (Zoom teleconferencing/attendance may not be available at all meetings.)

The meeting may be viewed through the following Zoom Meeting:

- Please click the link below to join the webinar:
- <https://us06web.zoom.us/j/86135375171?pwd=kSl4XutiBaf2agnldzC4XS5R4s0e2h.1>
Meeting ID: 861 3537 5171
- Passcode: 230407
- Phone: +1 669 900 6833

If you wish to make a general public comment or public comment on a particular item on the agenda, **participants may do so via Zoom during the meeting** or by **submitting public comments by e-mail to: planning@lemoore.com**. In the subject line of the e-mail, please state your name and the item you are commenting on. If you wish to submit a public comment on more than one agenda item, please send a separate e-mail for each item you are commenting on. Please be aware that written public comments, including your name, may become public information. Additional requirements for submitting public comments by e-mail are provided below.

General Public Comments & Comments on City Council Business Items

For general public comments and comments regarding specific Planning Commission Business Items, public comments can be made via Zoom during the meeting or all public comments must be received by e-mail no later than 5:00 p.m. the day of the meeting. Comments received by this time will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within the normal three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions. If a general public comment or comment on a business item is received after 5:00 p.m., efforts will be made to read your comment into the record. However, staff cannot guarantee that written comments received after 5:00 p.m. will be read. All written comments that are not read into the record will be made part of the meeting minutes, provided that such comments are received prior to the end of the Planning Commission meeting.

Public Hearings

For public comment on a public hearing, all public comments must be received by the close of the public hearing period. All comments received by the close of the public hearing period will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within the normal three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions. If a comment on a public hearing item is received after the close of the public hearing, such comment will be made part of the meeting minutes, provided that such comment is received prior to the end of the meeting.

***PLEASE BE AWARE THAT ANY PUBLIC COMMENTS RECEIVED THAT DO NOT SPECIFY A PARTICULAR AGENDA ITEM WILL BE READ ALOUD DURING THE GENERAL PUBLIC COMMENT PORTION OF THE AGENDA.**

**Minutes of the
LEMOORE PLANNING COMMISSION
Regular Meeting
May 13, 2024**

ITEM NO. 1 Pledge of Allegiance

ITEM NO. 2 Call to Order and Roll Call

The meeting was called to order at 5:30 PM.

Chair: Mitchell Couch

Vice-Chair Ray Etchegoin

Commissioners: Bob Clement, Greg Franklin, Ron Meade

Absent: Joseph Brewer, Kathleen Cain

City Staff and Contract Employees Present: City Planner Steve Brandt (QK), City Attorney Cristal Pizano (Lozano Smith), Senior Planner Kira Noguera (QK), Commission Secretary Kristie Baley

ITEM NO. 3 Public Comment

There was no comment.

ITEM NO. 4 Approval - Minutes – Regular Meeting, May 13, 2024

Motion by Commissioner Etchegoin, seconded by Commissioner Clement, to approve the Minutes of the Planning Commission Regular Meeting of April 8, 2024.

Ayes: Etchegoin, Clement, Franklin, Meade, Couch

Absent: Brewer, Cain

ITEM NO. 5 REPORT AND RECOMMENDATION – Consideration to approve and adopt Resolution No. 2024-02 – a request by Jeff Roberts (agent) to extend approval of Tentative Subdivision Map Tract 932 and accompanying Planning entitlements for one year. The project site is located on the east side of 18th Avenue (Lemoore Avenue) and north of Glendale Avenue (APN: 021-030-057).

Motion by Commissioner Franklin, seconded by Commissioner Etchegoin, to adopt Resolution 2024-02, approving the extension of the Tract 932 Tentative Subdivision Map and associated entitlements for one year.

Ayes: Franklin, Etchegoin, Clement, Meade, Couch

Absent: Brewer, Cain

ITEM NO. 6 PUBLIC HEARING – REPORT AND RECOMMENDATION – to accept public comment and consideration to recommend to the City Council adopt of Resolution No. 2024-03 and approve Zoning Text Amendment No. 2024-01: amending Sections 9-5B-5 “Fences and Walls”, 9-5E-5 “Design and Development Standards for Off Street Parking Areas”, 9-5D1-4 “Tree Preservation”, 9-4B-2 “Allowed Uses and Required Entitlements for Base Zoning Districts”, 9-5F-5 “Standards for Permanent On Site Signs”, and Table 9-3-2 “Zoning Districts,” and adding Sections 9-4D-21 “Tattoo Parlors” and 9-4D-22 “Personal Storage Facilities” in the City of Lemoore Zoning Ordinance.

City Planner Brandt and Senior Planner Noguera from QK presented the text amendments.

Chair Couch opened the public hearing at 6:00 p.m.

There was no comment.

Chair Couch closed the public hearing at 6:01 p.m.

Motion by Commissioner Etchegoin, seconded by Commissioner Meade, to approve Resolution 2024-03 recommending approval of Zoning Text Amendment No. 2024-01 and amending Sections 9-5B-5, to include changes listed below.

1. Require drive approach upon installation of second driveway.
2. Tattoo business entrance to remain unlocked during business hours and allow window signage for tattoo business to cover 25% of total window area as is allowed for other businesses.

Ayes: Etchegoin, Meade, Franklin, Clement, Couch

Absent: Brewer, Cain

ITEM NO. 7 Directors Report

Brandt and Baley presented the following information.

Staff are reviewing a site plan for a senior housing project to be located near Oleander Avenue and Bush Street.

Brandt thanked Kira for assisting with the text amendments.

Staff are reviewing an application for signage received for the Maverik’s fuel station to be located at 19th and Iona Avenues. Approval of the monument and highway sign is dependent on approval of the text changes recommended to Planning Commission tonight.

Grullense in Hanford is expanding and is in the process of opening two locations in Lemoore. Tenant improvements for a restaurant at 850 E D Street and a market/butcher shop at 1204,1208,and 1216 N. Lemoore Avenue (Gateway Plaza) are in process. The restaurant is expected to open very soon.

A site plan for a commercial development to include restaurant and retail at Bush Street and Acacia Drive (Phase II of the 19th and Bush project) was approved and the developer has

submitted a tentative parcel map to be brought to the Planning Commission for approval within the next few months.

The Smith Avenue and D Street apartment project is moving forward as planned. The City will benefit from two offsite improvement grants (AHSC and IIG) that have been awarded. Construction and the improvements are expected to begin in late September.

ITEM NO. 8 Commission Reports / Requests

Commissioners Etchegoin and Couch thanked staff for their hard work.

ITEM NO. 9 Adjournment

The meeting was adjourned at 6:34 P.M.

Approved the 8th day of July 2024.

APPROVED:

Mitchell Couch, Chairperson

ATTEST:

Kristie Baley, Commission Secretary



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

Staff Report

To: Lemoore Planning Commission **Item No. 5**

From: Steve Brandt, City Planner and
Kristie Baley, Management Analyst

Date: June 28, 2024 **Meeting Date:** July 8, 2024

Subject: Request by Lennar Homes of California, Inc. to extend the approval of
Reverie Vesting Tentative Subdivision Map No. 2017-01, Tract 920 and
accompanying Planning entitlements for one year (APN: 021-570-001
and 021-560-001)

Proposed Motion:

Adopt Resolution No. 2024-04. approving a one-year extension of time for the Reverie Vesting Tentative Subdivision Map No. 2017-01, Tract 920 and accompanying Planning entitlements, in accordance with the findings and conditions in the resolution.

Discussion:

On June 26, 2024, Lennar Homes of California submitted a written request to extend the approval of the Tract No. 920 Vesting Tentative Subdivision Map No. 2017-01 for one year. This project was originally approved by Planning Commission Resolution No. 2017-15 on August 14, 2017, which was originally set to expire on August 14, 2019. On February 28, 2018, the applicant submitted Phase 1 of the Tract No. 920 final map which extended the expiration date of the Vesting Tentative Subdivision Map to August 14, 2020. The Planning Commission granted a one-year extension on June 22, 2020, which extended the Vesting Tentative Subdivision Map to August 14, 2021, to allow for the construction of Phase 2. The Planning Commission granted a second one-year extension on August 9, 2021, which extended the Vesting Tentative Subdivision Map to August 14, 2022. The Planning Commission granted a third one-year extension on July 11, 2022, which extended the Vesting Tentative Subdivision Map to August 14, 2023. The Planning Commission granted a fourth one-year extension on August 14, 2023, which extended

the Vesting Tentative Subdivision Map to August 14, 2024, to allow for recording of the final map. The filing of an application for an extension on June 26, 2024, stays the expiration for 60 days. If the one-year extension is approved, the Vesting Tentative Subdivision Map will be extended to August 14, 2025, and the applicant would have one request for discretionary extension left.

The vesting tentative map consisted of 175 lots and a park/ponding basin to be developed in two phases. Site Plan Review No. 2017-01 and Planned Unit Development 2017-01 were also approved. Phase 1 of the project was recorded with 87 lots on August 21, 2018, and development is complete. Lennar Homes is close to beginning construction of Phase 2; however, it will not be ready to do so by the August 14, 2024, expiration date. Therefore, the applicant has applied for a fifth one-year discretionary time extension.

The Subdivision Map Act governs how cities are to process and administer the creation of new parcels and subdivisions. The Subdivision Map Act states that a final subdivision map must be filed with the City before the tentative map approval expires. The filing of a final map is usually the beginning of significant investment on the part of the developer. Tentative maps are initially approved for two years. Applicants may request up to six years of discretionary extensions by the City.

Staff supports the one-year extension to give the developer more time to prepare for Phase 2. In accordance with Municipal Code Section 9-2A-9, extensions granted for the Tentative Tract Map shall be applied to all accompanying entitlements. The project would still adhere to the adopted conditions as adopted originally for the project.

Attachments:

- 1) Vicinity Map of Site Location
- 2) Draft Resolution for Approval
- 3) Vesting Tentative Subdivision Map No. 2017-01
- 4) Original Approval Resolution No. 2017-15
- 5) Resolution No. 2020-06 for One Year Time Extension 6/22/2020
- 6) Resolution No. 2021-11 for One Year Time Extension 8/9/2021
- 7) Resolution No. 2022-07 for One Year Time Extension 7/11/2022
- 8) Resolution No. 2023-06 for One Year Time Extension 8/14/2023

RESOLUTION NO. 2024-04

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
APPROVING A ONE YEAR TIME EXTENSION TO VESTING TENTATIVE SUBDIVISION
MAP NO. 2017-01 (TRACT 920) AND ACCOMPANYING PLANNING ENTITLEMENTS
TO DIVIDE 40 ACRES INTO 175 SINGLE-FAMILY LOTS AND A PARK/PONDING BASIN
LOCATED AT THE NORTHEAST CORNER OF HANFORD-ARMONA ROAD
AND LIBERTY DRIVE (18¾ AVENUE) IN THE CITY OF LEMOORE
(APN 021-570-001 and 021-560-001)**

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on July 8, 2024, at 5:30 p.m. on said day, it was moved by Commissioner _____, seconded by Commissioner _____, and carried that the following Resolution be adopted:

WHEREAS, Lennar Homes of California, Inc., requested a one-year extension for Vesting Tentative Subdivision Map No. 2017-01 (Tract 920), Site plan Review No. 2017-01, and Planned Unit Development No. 2017-01 to divide 40 acres into 175 single-family lots and a park/ponding basin located at the northeast corner of Hanford-Armona Road and 18¾ Avenue, in the City of Lemoore (APN: 021-570-001 and 021-560-001); and

WHEREAS, Vesting Tentative Subdivision Map 2017-01 and accompanying Planning entitlements were previously approved by the City of Lemoore on August 14, 2017; and

WHEREAS, the submittal of the Final Subdivision Map for Phase 1 extended the expiration date of the Vesting Tentative Map to August 14, 2020; and

WHEREAS, the Vesting Tentative Subdivision Map was previously extended one year per the City of Lemoore Municipal Code Section 8-7F-10 to August 14, 2021; and

WHEREAS, the Vesting Tentative Subdivision Map was previously extended one year per the City of Lemoore Municipal Code Section 8-7F-10 to August 14, 2022; and

WHEREAS, the Vesting Tentative Subdivision Map was previously extended one year per the City of Lemoore Municipal Code Section 8-7F-10 to August 14, 2023; and

WHEREAS, the Vesting Tentative Subdivision Map was previously extended one year per the City of Lemoore Municipal Code Section 8-7F-10 to August 14, 2024; and

WHEREAS, the request for extension automatically extends the Vesting Tentative Subdivision Map for 60-days to allow for review per the Municipal Code; and

WHEREAS, the applicant has demonstrated reasonable efforts to pursue the project and the need for an extension of the Vesting Tentative Subdivision Map; and

WHEREAS, the Planning Commission has determined that granting an extension will not create a negative impact to the public health, safety, or welfare.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby finds that the potential environmental effects of the Project were adequately analyzed by the Initial Study/Mitigated Negative Declaration that was adopted pursuant to the

California Environmental Quality Act (CEQA) on June 20, 2017, in conjunction with the annexation of the property.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore hereby grants a one-year extension to Vesting Tentative Subdivision Map No. 2017-01 (Tract 920), Site plan Review No. 2017-01, and Planned Unit Development No. 2017-01, which shall expire on August 14, 2025. This extension is granted subject to compliance with the conditions of the original approval contained in Resolution 2017-15.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on July 8, 2024, by the following votes:

AYES:

NOES:

ABSTAINING:

ABSENT:

APPROVED:

Mitchell Couch, Chairperson

ATTEST:

Kristie Baley, Commission Secretary

VESTING TENTATIVE SUBDIVISION MAP **COUNTY TRACT NO. 920** CITY OF LEWIS, COUNTY OF KINGS, STATE OF CALIFORNIA

LENNAR HOMES OF CALIFORNIA, INC.
 6000 N. PALM AVE. SUITE 100
 FRESNO, CA 93721



VESTING TENTATIVE SUBDIVISION MAP
COUNTY TRACT NO. 920

CAL ENGINEERS
**ZUMWALT
 HANSEN**
 LAND SURVEYORS
 609 N. 1st St.
 Hanford, CA 93230
 Phone: (559) 831-1100
 Fax: (559) 831-1101

DATE: 3/1/2017
 CHECKED BY: JAH
 DRAWN BY: JAH

RESOLUTION # **2017-15**

AUG 14 2017

APPROVED
 BY PLANNING COMMISSION

LEGAL DESCRIPTION
 THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, T4S, R10E, S4E, IN THE COUNTY OF KINGS, STATE OF CALIFORNIA.

LOT INFORMATION
 TOTAL LOTS: 178 LOTS
 UNIMBUELED LOT AREA: 5,536 S.F. (LOT #6)
 UNIMBUELED LOT AREA: 11,847 S.F. (LOT #6)
 AVERAGE LOT AREA: 11,847 S.F.

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 LOT 169: 14.07 AC. (3,100 S.F.)
 LOT 170: 14.07 AC. (3,100 S.F.)
 LOT 171: 14.07 AC. (3,100 S.F.)
 LOT 172: 14.07 AC. (3,100 S.F.)
 LOT 173: 14.07 AC. (3,100 S.F.)
 LOT 174: 14.07 AC. (3,100 S.F.)
 LOT 175: 14.07 AC. (3,100 S.F.)
 LOT 176: 14.07 AC. (3,100 S.F.)
 LOT 177: 14.07 AC. (3,100 S.F.)
 LOT 178: 14.07 AC. (3,100 S.F.)

APPLICANT
 LENNAR HOMES OF CALIFORNIA, INC.
 6000 N. PALM AVE. SUITE 100
 FRESNO, CA 93721

OWNER
 LENNAR HOMES OF CALIFORNIA, INC.
 6000 N. PALM AVE. SUITE 100
 FRESNO, CA 93721

GENERAL INFORMATION
 EXISTING ZONE: (COUNTY) LUTED 40
 EXISTING USE: (COUNTY) LUTED 40
 EXISTING LOT: (COUNTY) LUTED 40
 EXISTING AREA: (COUNTY) LUTED 40
 EXISTING OWNER: (COUNTY) LUTED 40
 EXISTING ADDRESS: (COUNTY) LUTED 40
 EXISTING PHONE: (COUNTY) LUTED 40
 EXISTING FAX: (COUNTY) LUTED 40
 EXISTING E-MAIL: (COUNTY) LUTED 40
 EXISTING WEBSITE: (COUNTY) LUTED 40
 EXISTING COMMENTS: (COUNTY) LUTED 40

PLANNING COMMISSION
 LENNAR HOMES OF CALIFORNIA, INC.
 6000 N. PALM AVE. SUITE 100
 FRESNO, CA 93721

STREET
 LENNAR HOMES OF CALIFORNIA, INC.
 6000 N. PALM AVE. SUITE 100
 FRESNO, CA 93721

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STREET
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 FRESNO, CA 93721

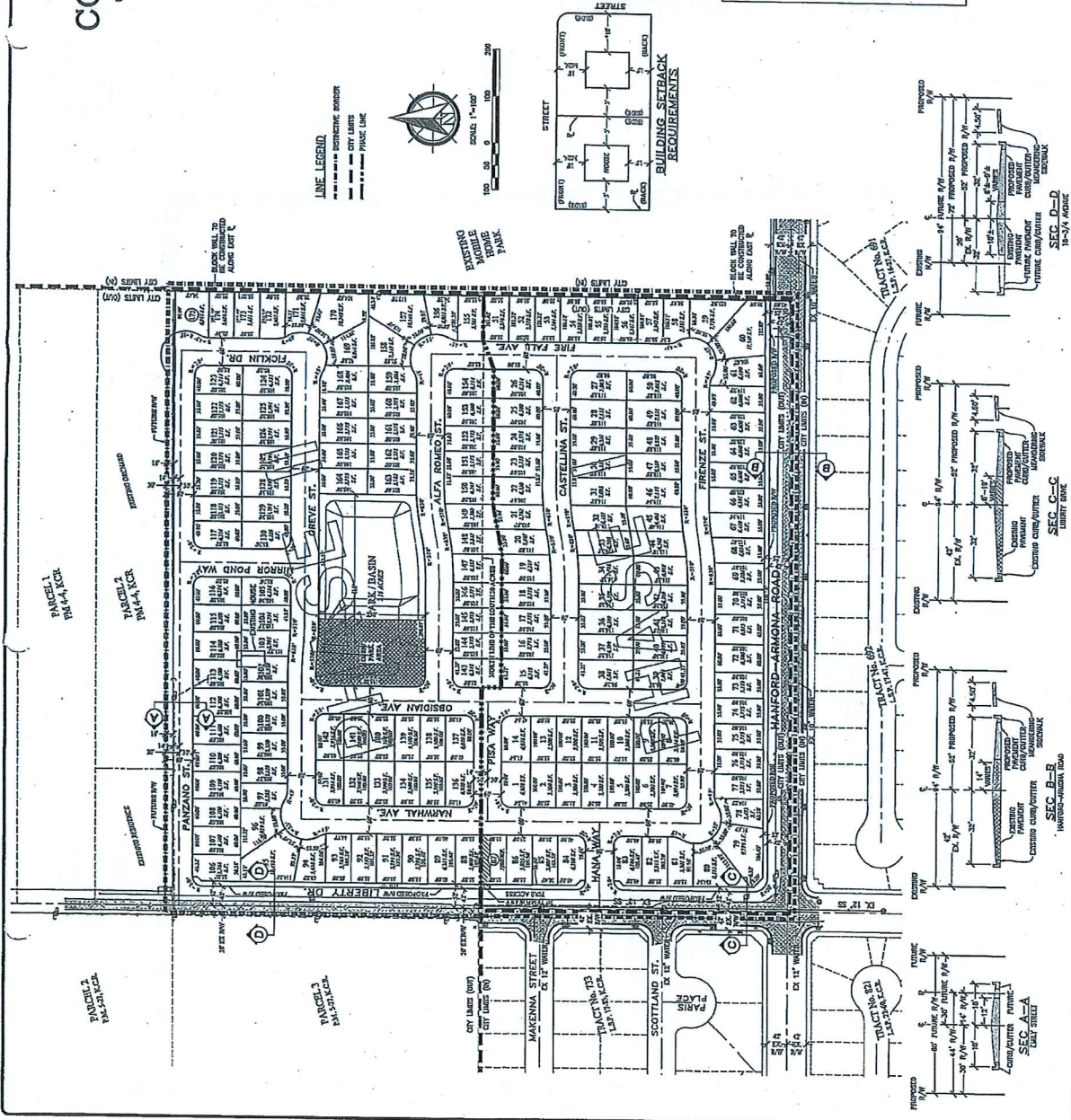
STREET
 LENNAR HOMES OF CALIFORNIA, INC.
 6000 N. PALM AVE. SUITE 100
 FRESNO, CA 93721

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STREET
 LENNAR HOMES OF CALIFORNIA, INC.
 6000 N. PALM AVE. SUITE 100
 FRESNO, CA 93721



Know what's below.
 Call before you dig.

FILED 11/23/2017 11:42 AM BY 333 Lennar/Hansen/2017-15, Printed by JAH, Printed by JAH

MAP OF TERRITORY ANNEXED TO THE CITY OF LEMOORE

LEGAL DESCRIPTION
PART OF THE SOUTHWEST QUARTER OF SECTION 22,
T.18 S., R.2 E., M.E.B. & M., IN THE COUNTY OF KINGS, STATE OF CALIFORNIA.

SURVEYOR'S STATEMENT
THIS MAP WAS PREPARED BY ME ON
UPON RECORD DATA AND LAYED RESOLUTION NO. _____ AND IS DATED
DATED _____



JOHN A. ZUMWALT, L.C.S. 1489

CERTIFICATE OF COMPLETION

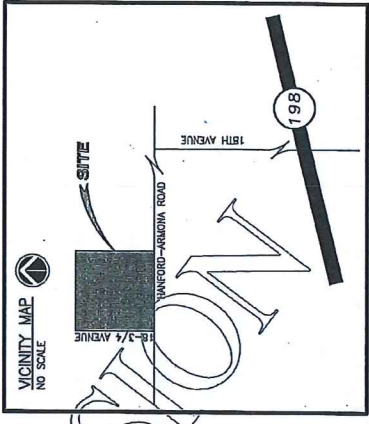
RECORDED AS DOCUMENT NO. _____
DOCUMENT NO. _____
RECORDED AT THE REQUEST OF THE LOCAL AGENCY FORMATION COMMISSION OF KINGS COUNTY,
AT _____ MINUTES PAST _____ O'CLOCK, _____ M., _____ 200, VOLUME _____ OF
LICENSED SURVEYOR'S PLAT PAGE _____, KINGS COUNTY, STATE OF CALIFORNIA.

EXISTING LEB
COUNTY RECORDER
BY: _____
DEPUTY

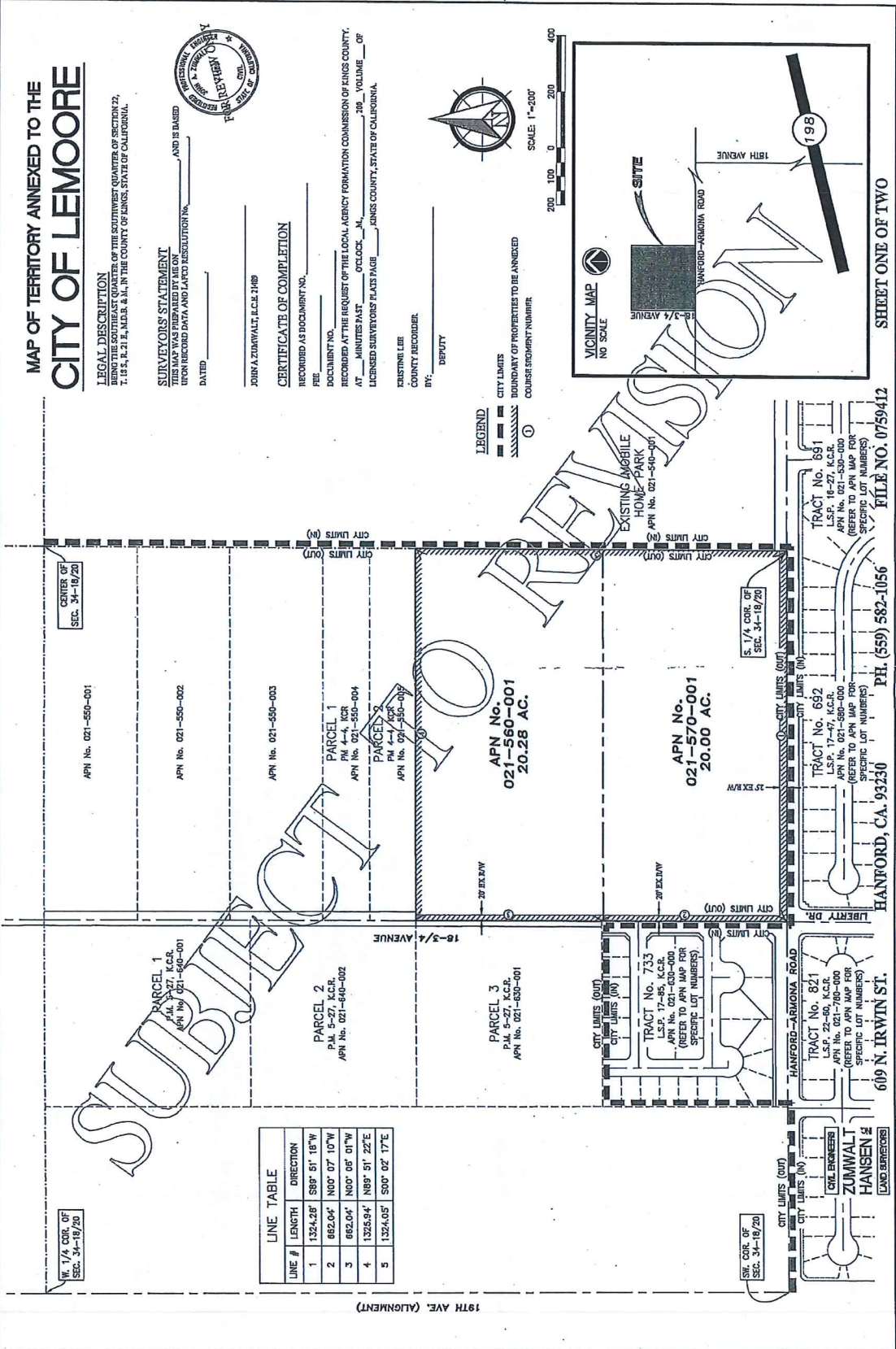


SCALE: 1"=200'
200 100 0 200 400

LEGEND
--- CITY LIMITS
--- BOUNDARY OF PROPERTIES TO BE ANNEXED
① COURSE/STATION NUMBER



SHEET ONE OF TWO



LINE TABLE		
LINE #	LENGTH	DIRECTION
1	1324.28'	S89° 51' 16"W
2	862.04'	N00° 07' 10"W
3	862.04'	N00° 05' 01"W
4	1325.54'	N89° 51' 22"E
5	1324.65'	S00° 02' 17"E

FILE NO. 0759412

PH. (559) 582-1056

HANFORD, CA 93230

609 N. IRWIN ST.

CITY ENGINEERS
ZUMWALT
HANSEN &
LAND ENGINEERS

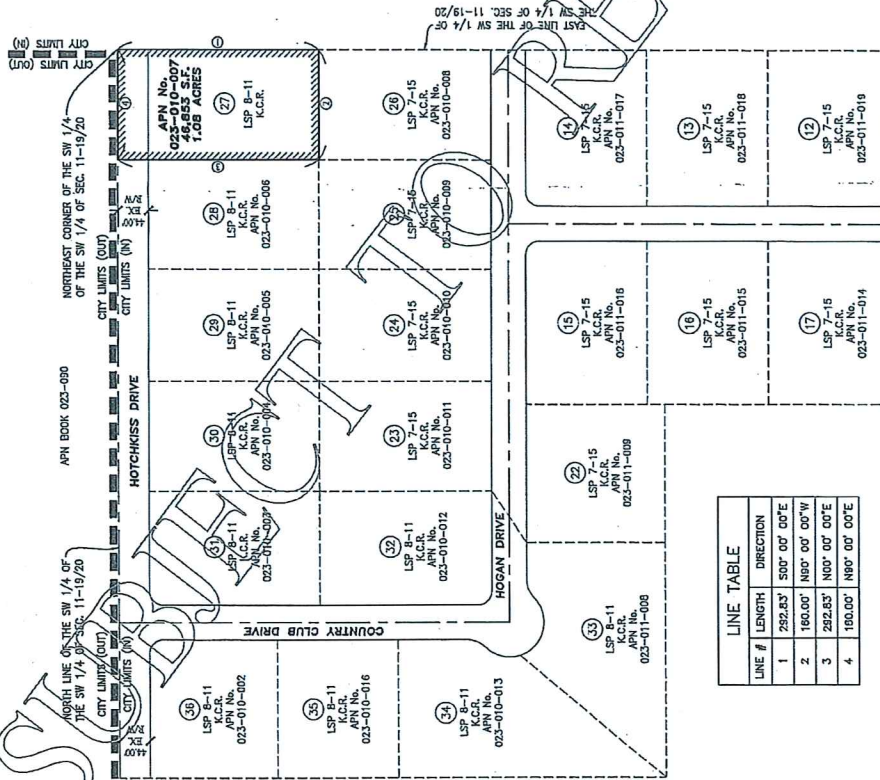
APPROVED
BY PLANNING COMMISSION
AUG 14 2017
RESOLUTION # 2017-15

MAP OF TERRITORY ANNEXED TO THE CITY OF LEMOORE

LEGAL DESCRIPTION

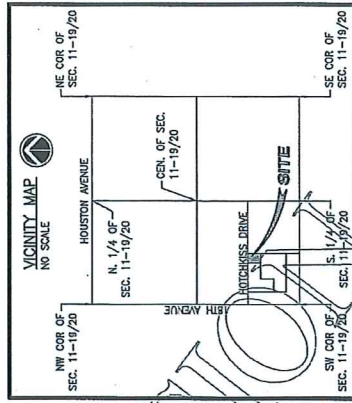
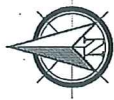
LOT 27 AS SHOWN ON A MAP RECORDED IN VOL. 1, AT PG. 11 OF LICENSED SURVEYORS PLATS KING COUNTY RECORDS, BEING A PORTION OF THE SURFACES TO THE CITY OF LEMOORE, COUNTY OF KINGS, STATE OF CALIFORNIA, 304, 340A, 341, IN THE COUNTY OF LEMOORE, STATE OF CALIFORNIA.

APPROVED
BY PLANNING COMMISSION
AUG 14 2017
RESOLUTION # 2017-15



LINE TABLE		
LINE #	LENGTH	DIRECTION
1	292.83'	S00° 00' 00"E
2	160.00'	N80° 00' 00"W
3	292.83'	N00° 00' 00"E
4	160.00'	N80° 00' 00"E

LEGEND
CITY LIMITS
BOUNDARY OF PROPERTIES TO BE ANNEXED
COURSE AND DISTANCE



CIVIL ENGINEERS
ZUMWALT
HANSEN &
LAND SURVEYORS

609 N. IRWIN ST. HANFORD, CA. 93230
PH (559) 582-1056
FILE NO. 0759412
SHEET TWO OF TWO

RESOLUTION NO. 2017-15

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
APPROVING VESTING TENTATIVE SUBDIVISION MAP NO. 2017-01 (TRACT 920), PLANNED UNIT
DEVELOPMENT NO. 2017-01, SUBJECT TO THE ADOPTION OF AN ORDINANCE ESTABLISHING
AN OVERLAY ZONE, AND MAJOR SITE PLAN REVIEW NO. 2017-01
TO DIVIDE 40 ACRES INTO 175 SINGLE-FAMILY LOTS AND A PARK/PONDING BASIN, AND FOR
APPROVAL OF NEW SINGLE-FAMILY HOME MASTER PLANS (FLOOR PLANS AND ELEVATION
PLANS) LOCATED AT THE NORTHEAST CORNER OF HANFORD-ARMONA ROAD AND LIBERTY
DRIVE (18³/₄ AVENUE) JUST OUTSIDE THE CITY OF LEMOORE**

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on August 14, 2017, at 7:00 p.m. on said day, it was moved by Commissioner Etchegoin, seconded by Commissioner Koelewyn, and carried that the following Resolution be adopted:

WHEREAS, Lennar Homes has requested approval of a vesting tentative subdivision map, planned unit development, and major site plan review to divide 40 acres into 175 single-family lots and a park/ponding basin, and for approval of new single-family home master plans (floor plans and elevation plans), located at the northeast corner of Hanford Armona Road and 18³/₄ Avenue, just outside the City of Lemoore (APN: 021-570-001 and 021-560-001); and

WHEREAS, the City Council of the City of Lemoore initiated annexation proceedings for the site on June 20, 2017, and;

WHEREAS, the proposed site is 40 acres in size and is rezoned Low Density Residential (RLD); and

WHEREAS, an initial study was prepared in conformance with the California Environmental Quality Act (CEQA) Guidelines, and it was found that the proposed project could not have a significant effect on the environment, with mitigations. Therefore, a Mitigated Negative Declaration has been prepared, accepted, and will be utilized for this project; and

WHEREAS, the Lemoore Planning Commission held a duly noticed public hearing at its August 14, 2017, meeting.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby makes the following findings regarding the proposed projects:

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan and all applicable provisions of the Subdivision Ordinance.
2. The proposed project does not exceed the total density under the base zoning district or the general plan land use designation.
3. The proposed project will not be substantially detrimental to adjacent property, and will not materially impair the purposes of the Zoning Ordinance or the public interest.

4. As proposed and conditioned herein, the site design of the project is consistent with the new residential development standards in the Zoning Ordinance.
5. The proposed project is consistent with the objectives of the general plan and complies with applicable zoning regulations, specific plan provisions, and improvement standards adopted by the city.
6. The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.
7. The architecture, character, and scale of the building and the site are compatible with the character of buildings on adjoining and nearby properties.
8. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore approves Vesting Tentative Subdivision Map No. 2017-01 (Tract 920), Planned Unit Development No. 2017-01 subject to the future adoption of an ordinance by the City Council establishing an overlay zone for the Planned Unit Development, and Major Site Plan Review No. 2017-01, subject to the following conditions:

1. The site shall be developed consistent with the approved tentative map and applicable development standards found in the Zoning Ordinance and City Municipal Code, including the overlay zone established for the Planned Unit Development by ordinance.
2. The site shall be developed consistent with the Site Plan Review comments dated June 30, 2017.
3. The project shall be developed and maintained in substantial compliance with the vesting tentative map, except for any modifications that may be needed to meet these conditions of approval.
4. The final subdivision map shall be submitted in accordance with City ordinances and standards.
5. Plans for all public and private improvements, including but not limited to, water, sewer, storm drainage, road pavement, curb and gutter, sidewalk, street lights, landscaping, and fire hydrants shall be approved by the City Engineer, and these improvements shall be completed in accordance with the approved plans to the satisfaction of the Public Works Department.
6. Park land in-lieu fees shall be paid to the City for 2.78 acres minus the acres provides for the park on the final map, in accordance with the procedures in Section 8-7N-4 of the City Municipal Code. Fees shall be paid prior to approval of the final map.
7. The park shall be constructed and opened to the public for use prior to the final inspection of the 5th new home constructed in Phase 2.
8. A public facilities maintenance district shall be formed in conjunction with the final map acceptance in order to provide the maintenance costs for the park, storm drain basin, common landscaping, and other improvements, in accordance with existing City policy.

9. The project shall be subject to the applicable development impact fees adopted by resolution of the City Council.
10. A noise and odor easement shall be recorded on the property, in a form acceptable to the City Attorney, to acknowledge the presence of nearby industry and railroad, and the right of the industry and railroad to continue to emit such noise and odors as are otherwise allowable by law and to ensure that industry in these areas is not unreasonable hindered by residential users and owners that move nearby at a later date.
11. The developer shall comply with the standards, provisions, and requirements of the San Joaquin Valley Air Pollution Control District that relate to the project.
12. A 6-foot to 7-foot block wall shall be constructed adjacent Liberty Drive, Hanford-Armona Road, and the east side of the subdivision.
13. Fire hydrant types and locations shall be approved by the Lemoore Volunteer Fire Department.
14. Concrete pads for installation of mailboxes shall be provided in accordance with determinations made by the Lemoore Postmaster.
15. Street trees from the city approved street tree list shall be planted with root barriers as per Public Works Standards and Specifications.
16. Street lights shall be provided within the project as per City local street lighting standards.
17. All sidewalks shall be of "Parkway Type" as per City standard.
18. Lot sizes less than 7,000 square feet are approved, consistent with the sizes shown on the vesting tentative map.
19. The building setbacks shall be as follows: front yard – 18 to 22 feet, side yard 5 feet, street side yard 10 feet, rear yard 10 feet.
20. The front yard setback of adjacent homes shall have a minimum 2-foot stagger between adjacent lots.
21. Any existing roadway, sidewalk, or curb and gutter that is damaged during construction shall be repaired or replaced to the satisfaction of the Public Works Department.
22. All signs shall require a sign permit separate from the building permit.
23. The project and all subsequent uses must meet the requirements found in Section 9-5B-2 of the Zoning Ordinance related to noise, odor, and vibration, and maintenance.
24. Master home plans shall be substantially consistent to the floor plans and elevations submitted with the vesting tentative map, unless subsequently modified by the Planning Commission.
25. For homes placed on corner lots, the stone/brick veneer placed on the front of the homes shall be wrapped around the street side of the home up to the fence, and stucco/foam window treatments used on the front of the home shall also be used on the street side of

the home where windows are visible from the street. Where stone/brick veneer on the front of the home, the veneer on the street side of the home need only be at the base of the home.

26. All homes shall be oriented to the street with garages deemphasized and living areas placed toward the front of homes.

27. This tentative subdivision map approval shall expire within two years, unless a final map is filed or an extension is granted via legislation or by the City, in accordance with the Subdivision Map Act. Approvals and expiration dates for the Major Site Plan Review and Planned Unit Development shall run consisted with the vesting tentative map.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on August 14, 2017, by the following votes:

AYES: Etchegoin, Koelewyn, Badasci, Clement, Meade

NOES: Marvin

ABSTAINING:

ABSENT: Dow

APPROVED:


Ron Meade, Chairperson

ATTEST:


Kristie Baley, Commission Secretary

RESOLUTION NO. 2020-06

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
APPROVING A ONE YEAR EXTENSION TO VESTING TENTATIVE SUBDIVISION MAP NO. 2017-01
(TRACT 920) TO DIVIDE 40 ACRES INTO 175 SINGLE-FAMILY LOTS AND A PARK/PONDING
BASIN LOCATED AT THE NORTHEAST CORNER OF HANFORD-ARMONA ROAD AND LIBERTY
DRIVE (18¾ AVENUE) IN THE CITY OF LEMOORE**

At a Special Meeting of the Planning Commission of the City of Lemoore duly called and held on June 22, 2020, at 7:00 p.m. on said day, it was moved by Commissioner Franklin, seconded by Commissioner Dey, and carried that the following Resolution be adopted:

WHEREAS, Lennar Homes has requested to extend the approval of Vesting Tentative Subdivision Map No. 2017-01 (Tract 920) to divide 40 acres into 175 single-family lots and a park/ponding basin located at the northeast corner of Hanford Armona Road and 18¾ Avenue, in the City of Lemoore (APN: 021-570-001 and 021-560-001); and

WHEREAS, the approval for the vesting tentative tract map expires August 14, 2020 and the applicant submitted the application for extension on May 13, 2020, prior to the expiration date; and

WHEREAS, the Lemoore Planning Commission held a duly noticed Special Meeting on June 22, 2020 and granted a one year extension to Vesting Tentative Subdivision Map No. 2017-01 (Tract 920) with previously approved conditions of approval as listed in Resolution No. 2017-15 to remain intact; and

WHEREAS, The Vesting Tentative Subdivision Map involves a Planned Unit Development, which requires the approval of the Lemoore City Council.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby makes the following findings regarding the proposed project:

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan and all applicable provisions of the Subdivision Ordinance.
2. The proposed project does not exceed the total density under the base zoning district or the general plan land use designation.
3. The proposed project will not be substantially detrimental to adjacent property, and will not materially impair the purposes of the Zoning Ordinance or the public interest.
4. As proposed and conditioned herein, the site design of the project is consistent with the new residential development standards in the Zoning Ordinance.
5. The proposed project is consistent with the objectives of the general plan and complies with applicable zoning regulations, specific plan provisions, and improvement standards adopted by the city.

6. The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.
7. The architecture, character, and scale of the building and the site are compatible with the character of buildings on adjoining and nearby properties.
8. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore approves a one year extension to Vesting Tentative Subdivision Map No. 2017-01 (Tract 920) to expire on August 14, 2021, subject to the following conditions:

1. The site shall be developed consistent with the approved tentative map and applicable development standards found in the Zoning Ordinance and City Municipal Code, including the overlay zone established for the Planned Unit Development by ordinance.
2. The site shall be developed consistent with the Site Plan Review comments dated June 30, 2017.
3. The project shall be developed and maintained in substantial compliance with the vesting tentative map, except for any modifications that may be needed to meet these conditions of approval.
4. The final subdivision map shall be submitted in accordance with City ordinances and standards.
5. Plans for all public and private improvements, including but not limited to, water, sewer, storm drainage, road pavement, curb and gutter, sidewalk, street lights, landscaping, and fire hydrants shall be approved by the City Engineer, and these improvements shall be completed in accordance with the approved plans to the satisfaction of the Public Works Department.
6. Park land in-lieu fees shall be paid to the City for 2.78 acres minus the acres provides for the park on the final map, in accordance with the procedures in Section 8-7N-4 of the City Municipal Code. Fees shall be paid prior to approval of the final map.
7. The park shall be constructed and opened to the public for use prior to the final inspection of the 5th new home constructed in Phase 2.
8. A public facilities maintenance district shall be formed in conjunction with the final map acceptance in order to provide the maintenance costs for the park, storm drain basin, common landscaping, and other improvements, in accordance with existing City policy.
9. The project shall be subject to the applicable development impact fees adopted by resolution of the City Council.
10. A noise and odor easement shall be recorded on the property, in a form acceptable to the City Attorney, to acknowledge the presence of nearby industry and railroad, and the right of the industry and railroad to continue to emit such noise and odors as are otherwise

allowable by law and to ensure that industry in these areas is not unreasonable hindered by residential users and owners that move nearby at a later date.

11. The developer shall comply with the standards, provisions, and requirements of the San Joaquin Valley Air Pollution Control District that relate to the project.
12. A 6-foot to 7-foot block wall shall be constructed adjacent Liberty Drive, Hanford-Armona Road, and the east side of the subdivision.
13. Fire hydrant types and locations shall be approved by the Lemoore Volunteer Fire Department.
14. Concrete pads for installation of mailboxes shall be provided in accordance with determinations made by the Lemoore Postmaster.
15. Street trees from the city approved street tree list shall be planted with root barriers as per Public Works Standards and Specifications.
16. Street lights shall be provided within the project as per City local street lighting standards.
17. All sidewalks shall be of "Parkway Type" as per City standard.
18. Lot sizes less than 7,000 square feet are approved, consistent with the sizes shown on the vesting tentative map.
19. The building setbacks shall be as follows: front yard – 18 to 22 feet, side yard 5 feet, street side yard 10 feet, rear yard 10 feet.
20. The front yard setback of adjacent homes shall have a minimum 2-foot stagger between adjacent lots.
21. Any existing roadway, sidewalk, or curb and gutter that is damaged during construction shall be repaired or replaced to the satisfaction of the Public Works Department.
22. All signs shall require a sign permit separate from the building permit.
23. The project and all subsequent uses must meet the requirements found in Section 9-5B-2 of the Zoning Ordinance related to noise, odor, and vibration, and maintenance.
24. Master home plans shall be substantially consistent to the floor plans and elevations submitted with the vesting tentative map, unless subsequently modified by the Planning Commission.
25. For homes placed on corner lots, the stone/brick veneer placed on the front of the homes shall be wrapped around the street side of the home up to the fence, and stucco/foam window treatments used on the front of the home shall also be used on the street side of the home where windows are visible from the street. Where stone/brick veneer on the front of the home, the veneer on the street side of the home need only be at the base of the home.

26. All homes shall be oriented to the street with garages deemphasized and living areas placed toward the front of homes.

27. This Vesting Tentative Subdivision Map approval shall expire August 14, 2021, unless a final map is filed or an extension is granted via legislation or by the City Council, in accordance with the Subdivision Map Act. Approvals and expiration dates for the Planned Unit Development and Major Site Plan Review shall run consistent with the Vesting Tentative Subdivision Map.

Passed and adopted at a Special Meeting of the Planning Commission of the City of Lemoore held on June 22, 2020, by the following votes:

AYES: Franklin, Dey, Clement, Meade, Etchegoin

NOES:

ABSTAINING:

ABSENT: Koelewyn

APPROVED:



Ray Etchegoin, Chairperson

ATTEST:



Kristie Baley, Commission Secretary

RESOLUTION NO. 2021-11

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
APPROVING A ONE YEAR TIME EXTENSION TO VESTING TENTATIVE SUBDIVISION MAP NO.
2017-01 (TRACT 920) AND ACCOMPANYING PLANNING ENTITLEMENTS TO DIVIDE 40 ACRES
INTO 175 SINGLE-FAMILY LOTS AND A PARK/PONDING BASIN LOCATED AT THE NORTHEAST
CORNER OF HANFORD-ARMONA ROAD AND LIBERTY DRIVE (18¾ AVENUE) IN THE CITY OF
LEMOORE**

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on August 9, 2021, at 7:00 p.m. on said day, it was moved by Commissioner FRANKLIN, seconded by Commissioner ETCHEGOIN, and carried that the following Resolution be adopted:

WHEREAS, Lennar Homes of California, Inc., requested a one-year extension for Vesting Tentative Subdivision Map No. 2017-01 (Tract 920), Site plan Review No. 2017-01, and Planned Unit Development No. 2017-01 to divide 40 acres into 175 single-family lots and a park/ponding basin located at the northeast corner of Hanford-Armona Road and 18¾ Avenue, in the City of Lemoore (APN: 021-570-001 and 021-560-001); and

WHEREAS, Vesting Tentative Subdivision Map 2017-01 and accompanying Planning entitlements were previously approved by the City of Lemoore on August 14, 2017; and

WHEREAS, the submittal of the Final Subdivision Map for Phase 1 extended the expiration date of the Vesting Tentative Map to August 14, 2020; and

WHEREAS, the Vesting Tentative Subdivision Map was previously extended one year per the City of Lemoore Municipal Code Section 8-7F-10 to August 14, 2021; and

WHEREAS, the request for extension automatically extends the Vesting Tentative Subdivision Map for 60-days to allow for review per the Municipal Code; and

WHEREAS, the applicant has demonstrated reasonable efforts to pursue the project and the need for an extension of the Vesting Tentative Subdivision Map; and

WHEREAS, the Planning Commission has determined that granting an extension will not create a negative impact to the public health, safety, or welfare.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby finds that the potential environmental effects of the Project were adequately analyzed by the Initial Study/Mitigated Negative Declaration that was adopted pursuant to the California Environmental Quality Act (CEQA) on June 20, 2017 in conjunction with the annexation of the property.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore hereby grants a one-year extension to Vesting Tentative Subdivision Map No. 2017-01 (Tract 920), Site plan Review No. 2017-01, and Planned Unit Development No. 2017-01, which shall expire on August 14, 2022. This extension is granted subject to compliance with the conditions of the original approval contained in Resolution 2017-15.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on August 9, 2021, by the following votes:

AYES: FRANKLIN, ETCHEGOIN, CLEMENT, DEY, MEADE

NOES:

ABSTAINING:

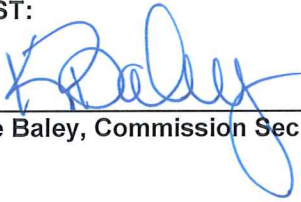
ABSENT: BREWER, NIX

APPROVED:



Ronald Meade, Chairperson

ATTEST:



Kristie Baley, Commission Secretary

RESOLUTION NO. 2022-07

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
APPROVING A ONE YEAR TIME EXTENSION TO VESTING TENTATIVE SUBDIVISION
MAP NO. 2017-01 (TRACT 920) AND ACCOMPANYING PLANNING ENTITLEMENTS
TO DIVIDE 40 ACRES INTO 175 SINGLE-FAMILY LOTS AND A PARK/PONDING BASIN
LOCATED AT THE NORTHEAST CORNER OF HANFORD-ARMONA ROAD
AND LIBERTY DRIVE (18¾ AVENUE) IN THE CITY OF LEMOORE
(APN 021-570-001 and 021-560-001)**

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on July 11, 2022, at 7:00 p.m. on said day, it was moved by Commissioner Etchegoin, seconded by Commissioner Franklin, and carried that the following Resolution be adopted:

WHEREAS, Lennar Homes of California, Inc., requested a one-year extension for Vesting Tentative Subdivision Map No. 2017-01 (Tract 920), Site plan Review No. 2017-01, and Planned Unit Development No. 2017-01 to divide 40 acres into 175 single-family lots and a park/ponding basin located at the northeast corner of Hanford-Armona Road and 18¾ Avenue, in the City of Lemoore (APN: 021-570-001 and 021-560-001); and

WHEREAS, Vesting Tentative Subdivision Map 2017-01 and accompanying Planning entitlements were previously approved by the City of Lemoore on August 14, 2017; and

WHEREAS, the submittal of the Final Subdivision Map for Phase 1 extended the expiration date of the Vesting Tentative Map to August 14, 2020; and

WHEREAS, the Vesting Tentative Subdivision Map was previously extended one year per the City of Lemoore Municipal Code Section 8-7F-10 to August 14, 2021; and

WHEREAS, the Vesting Tentative Subdivision Map was previously extended one year per the City of Lemoore Municipal Code Section 8-7F-10 to August 14, 2022; and

WHEREAS, the request for extension automatically extends the Vesting Tentative Subdivision Map for 60-days to allow for review per the Municipal Code; and

WHEREAS, the applicant has demonstrated reasonable efforts to pursue the project and the need for an extension of the Vesting Tentative Subdivision Map; and

WHEREAS, the Planning Commission has determined that granting an extension will not create a negative impact to the public health, safety, or welfare.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby finds that the potential environmental effects of the Project were adequately analyzed by the Initial Study/Mitigated Negative Declaration that was adopted pursuant to the California Environmental Quality Act (CEQA) on June 20, 2017, in conjunction with the annexation of the property.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore hereby grants a one-year extension to Vesting Tentative Subdivision Map No. 2017-01 (Tract 920), Site plan Review No. 2017-01, and Planned Unit Development No. 2017-01, which shall

expire on August 14, 2023. This extension is granted subject to compliance with the conditions of the original approval contained in Resolution 2017-15.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on July 11, 2022, by the following votes:

AYES: Etchegoin, Franklin, Clement, Couch, Meade, Dey

NOES:

ABSTAINING:

ABSENT: Brewer

APPROVED:



Michael Dey, Chairperson

ATTEST:



Kristie Baley, Commission Secretary

RESOLUTION NO. 2023-06

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
APPROVING A ONE YEAR TIME EXTENSION TO VESTING TENTATIVE SUBDIVISION
MAP NO. 2017-01 (TRACT 920) AND ACCOMPANYING PLANNING ENTITLEMENTS
TO DIVIDE 40 ACRES INTO 175 SINGLE-FAMILY LOTS AND A PARK/PONDING BASIN
LOCATED AT THE NORTHEAST CORNER OF HANFORD-ARMONA ROAD
AND LIBERTY DRIVE (18¾ AVENUE) IN THE CITY OF LEMOORE
(APN 021-570-001 and 021-560-001)**

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on August 14, 2023, at 5:30 p.m. on said day, it was moved by Commissioner MEADE, seconded by Commissioner BREWER, and carried that the following Resolution be adopted:

WHEREAS, Lennar Homes of California, Inc., requested a one-year extension for Vesting Tentative Subdivision Map No. 2017-01 (Tract 920), Site plan Review No. 2017-01, and Planned Unit Development No. 2017-01 to divide 40 acres into 175 single-family lots and a park/ponding basin located at the northeast corner of Hanford-Armona Road and 18¾ Avenue, in the City of Lemoore (APN: 021-570-001 and 021-560-001); and

WHEREAS, Vesting Tentative Subdivision Map 2017-01 and accompanying Planning entitlements were previously approved by the City of Lemoore on August 14, 2017; and

WHEREAS, the submittal of the Final Subdivision Map for Phase 1 extended the expiration date of the Vesting Tentative Map to August 14, 2020; and

WHEREAS, the Vesting Tentative Subdivision Map was previously extended one year per the City of Lemoore Municipal Code Section 8-7F-10 to August 14, 2021; and

WHEREAS, the Vesting Tentative Subdivision Map was previously extended one year per the City of Lemoore Municipal Code Section 8-7F-10 to August 14, 2022; and

WHEREAS, the Vesting Tentative Subdivision Map was previously extended one year per the City of Lemoore Municipal Code Section 8-7F-10 to August 14, 2023; and

WHEREAS, the request for extension automatically extends the Vesting Tentative Subdivision Map for 60-days to allow for review per the Municipal Code; and

WHEREAS, the applicant has demonstrated reasonable efforts to pursue the project and the need for an extension of the Vesting Tentative Subdivision Map; and

WHEREAS, the Planning Commission has determined that granting an extension will not create a negative impact to the public health, safety, or welfare.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby finds that the potential environmental effects of the Project were adequately analyzed by the Initial Study/Mitigated Negative Declaration that was adopted pursuant to the California Environmental Quality Act (CEQA) on June 20, 2017, in conjunction with the annexation of the property.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore hereby grants a one-year extension to Vesting Tentative Subdivision Map No. 2017-01 (Tract 920), Site plan Review No. 2017-01, and Planned Unit Development No. 2017-01, which shall expire on August 14, 2024. This extension is granted subject to compliance with the conditions of the original approval contained in Resolution 2017-15.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on August 14, 2023, by the following votes:

AYES: MEADE, BREWER, CLEMENT, ETCHEGOIN, COUCH

NOES:

ABSTAINING:

ABSENT:

APPROVED:



Mitchell Couch, Chairperson

ATTEST:



Kristie Baley, Commission Secretary



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Staff Report

To: Lemoore Planning Commission **Item No. 6**
From: Steve Brandt, City Planner and
Kristie Baley, Management Analyst

Date: June 28, 2024 **Meeting Date:** July 8, 2024

Subject: **Conditional Use Permit No. 2024-01:** A request by Beal Properties (Day and Night Market) to allow the on-site sale of alcoholic beverages per Alcohol and Beverage Control (Type 21 ABC license) to include spirits for off-site consumption at 10 North Belle Haven Drive in the City of Lemoore (APN 023-480-045).

Proposed Motion:

Move to adopt Resolution No. 2024-05, approving Conditional Use Permit No. 2024-01 for public convenience and necessity in accordance with the findings and conditions in the Resolution.

Project Proposal:

The applicant is seeking to revise Conditional Use Permit No. 2021-03 which currently allows the on-site sale of packaged alcoholic beverages (Type 20 ABC license) such as beer and wine for off-site consumption. The applicant is proposing the on-site sale of (Type 21 ABC license) packaged alcoholic beverages such as beer, wine, and distilled spirits for off-site consumption. This license type is issued to retail stores where minors are allowed on the premises. The site is located at 10 North Belle Haven Drive, west of SR 41.

The proposed sale of alcohol in a Regional Commercial zone requires a Conditional Use Permit per Table 9-4B-2 and a finding of public necessity or convenience per Section 9-2B-17 of the City of Lemoore Zoning Ordinance.

Applicant	Beal Properties, Trevor Beal owner
Location	10 North Belle Haven Drive
Existing Land Use	Fuel station/convenience store with food service

APN(s)	023-480-045
Total Building Size	4,280 square feet
Zoning	Regional Commercial
General Plan	Regional Commercial

Adjacent Land Use, Zone and General Plan Designation

<u>Direction</u>	<u>Current Use</u>	<u>Zone</u>	<u>General Plan</u>
North	Leprino Foods	Light Industrial	Light Industrial
South	Vacant land	Regional Commercial	Regional Commercial
East	SR 41	Regional Transportation	Regional Transportation
West	Vacant land	Regional Commercial	Regional Commercial

Previous Relevant Actions:

The Planning Commission adopted Resolution No. 2021-13, approving CUP No. 2021-03 for public convenience and necessity in accordance with the conditions and findings in the Resolution at its September 13, 2021, meeting.

Zoning/General Plan:

The site is planned and zoned Regional Commercial (RC). Per the Lemoore Municipal Code, the proposed on-site sale of alcohol for off-site consumption is a use that can be approved through a CUP in this zone. This project is being brought to the Planning Commission because the proposed on-site sale of alcohol requires a CUP.

Operations:

The on-site sale of alcoholic beverages for this type of development is considered an acceptable use as long as all activities and operations are in accordance with Alcoholic Beverage Control (ABC) conditions and ABC requirements for use. Compliance with the requirements ABC places on the site is recommended as a condition of the approval of this CUP.

Nearby Schools, Churches, and Parks:

Zoning Ordinance Section 9-4D-2 states that establishments selling alcoholic beverages shall not be located within 500 feet of a park facility, school facility, or existing religious land use. There are no park facilities, school facilities, or existing religious land uses within 500 feet of the site

Public Necessity or Convenience

Section 9-2B-17 requires the Planning Commission to make a finding that the public convenience or necessity would be served by the granting of an alcohol license. The Planning Commission shall consider, among other things, the recommendations of the Chief of Police, the Planning Director, and other departments of the City. The purpose of this finding is to give the Planning Commission the opportunity to say whether or not the site is appropriate for sale of alcohol and whether or not there is already an overconcentration of alcohol sales in the neighborhood.

The City Manager and all Directors have reviewed the request, and none voiced opposition to the request at this location. The City Manager/Community Development Director and Chief of Police recommend making the finding of public necessity or convenience.

Environmental Assessment:

The City has determined that the project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) per Class 1 (Existing Facilities) Section 15301.

Recommended Approval Findings:

A Conditional Use Permit shall be granted only when the designated approving authority determines that the proposed use or activity complies with all of the following findings. City staff recommends that these findings be made based upon review of the project as described in this staff report, and with the recommended conditions of approval. These findings include a Finding of Public Convenience or Necessity per Municipal Code Section 9-4D-2.

1. The proposed use is consistent with the General Plan, any applicable specific plans, and all applicable provisions of the Zoning Ordinance. The proposed use of the building is consistent with the General Plan; the proposed land uses are consistent with the Zoning Ordinance.
2. The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the City. The site is located near other compatible commercial uses.
3. The site of the proposed use is physically suitable for the type, density, and intensity of the use and related structures being proposed. The site is physically able to support the use. The applicant may be required by ABC to make physical changes to conform to their standards, if needed.

4. It will not be contrary to the specific intent clauses, development regulations, or performance standards established for the zoning district in which it is located. The proposed use and related structures are compatible with other land uses, transportation patterns, and service facilities in the vicinity.
5. There are no park facilities, school facilities, or existing religious land uses within 500 feet of the site.
6. The public convenience or necessity would be served by the granting of the CUP and ABC license.
7. The project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) per Class 1 (Existing Facilities) Section 15301.

Recommended Conditions:

Staff recommends the following conditions be applied to the approval of the Conditional Use Permit:

1. The operation shall be conducted in accordance with this Conditional Use Permit. Any deviations from the approvals shall first require approval of an amendment to this Conditional Use Permit.
2. The establishment shall obtain and maintain a valid Type 21 license from Alcoholic Beverage Control (ABC). A change to a license type that is deemed more intensive than a Type 21 license shall require an amendment to this Conditional Use Permit.
3. The establishment shall comply with all federal and state laws regarding the sale of alcohol.
4. Business hours and the sale of alcohol shall comply with ABC regulations.
5. All subsequent uses must meet the requirements found in Section 9-5B-2 and 9-5B-4 of the City of Lemoore Zoning Ordinance related to noise, odor, and vibration, lighting and maintenance.
6. The time limits and potential extensions and expiration of this Conditional Use Permit are established per Section 9-2A-9 of the City of Lemoore Zoning Ordinance.

Attachments:

Location Map

Draft Resolution

Resolution No. 2021-13 approving CUP No. 2021-03 dated September 13, 2021

Resolution No. 2021-06 with Site Plan and Conditional Use Permit Conditions of Approval dated April 12, 2021

Location Map
CUP No. 2024-01



RESOLUTION NO. 2024-05

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
APPROVING CONDITIONAL USE PERMIT NO. 2024-01 and FINDING OF PUBLIC CONVENIENCE
OR NECESSITY TO ALLOW THE ON-SITE SALE OF ALCOHOLIC BEVERAGES FOR OFF-SITE
CONSUMPTION (TYPE 21 ABC LICENSE) AT 10 NORTH BELLE HAVEN DRIVE
IN THE CITY OF LEMOORE**

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on July 8, 2024, at 5:30 p.m. on said day, it was moved by Commissioner _____, seconded by Commissioner _____, and carried that the following Resolution be adopted:

WHEREAS, Beal Properties has requested a conditional use permit (CUP) to allow the sale of alcoholic beverages (Type 21 ABC license) for off-site consumption at 10 North Belle Haven Drive in the City of Lemoore (APN 023-480-045); and

WHEREAS, the proposed site has conditional approval for gas station and convenience store (CUP No. 2021-01); and

WHEREAS, the proposed site has conditional approval for sale of alcoholic beverages (Type 20 ABC license) for off-site consumption (CUP No. 2021-03); and

WHEREAS, the zoning on the parcel is Regional Commercial; and

WHEREAS, the project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) per Class 1 (Existing Facilities) Section 15301; and

WHEREAS, the Lemoore Planning Commission held a duly noticed public hearing at its July 8, 2024, meeting.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby makes the following findings regarding the proposed Conditional Use Permit No. 2024-01 based on facts detailed in the July 8, 2024, Staff Report, which is hereby incorporated by reference, as well as the evidence and testimony presented during the Public Hearing:

1. The proposed use is consistent with the General Plan, any applicable specific plans, and all applicable provisions of the Zoning Code.
2. The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the City. The site is located near other compatible commercial uses.
3. The site of the proposed use is physically suitable for the type, density, and intensity of the use and related structures being proposed. The applicant may be required by ABC to make physical changes to conform to their standards, if needed.
4. It will not be contrary to the specific intent clauses, development regulations, or performance standards established for the zoning district in which it is located. The

proposed use and related structures are compatible with other land uses, transportation patterns, and service facilities in the vicinity.

5. There are no park facilities, school facilities, or existing religious land uses within 500 feet of the site.
6. The public convenience or necessity would be served by the granting of the CUP and Type 21 ABC license.
7. The project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) per Class 1 (Existing Facilities) Section 15301

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore hereby approves Conditional Use Permit No. 2024-01 subject to the following conditions:

1. The operation shall be conducted in accordance with this Conditional Use Permit. Any deviations from the approvals shall first require approval of an amendment to this Conditional Use Permit.
2. The establishment shall obtain and maintain a valid Type 21 license from Alcoholic Beverage Control (ABC). A change to a license type that is deemed more intensive than a Type 21 license shall require an amendment to this Conditional Use Permit.
3. The establishment shall comply with all federal and state laws regarding the sale of alcohol.
4. Business hours and the sale of alcohol shall comply with ABC regulations.
5. All subsequent uses must meet the requirements found in Section 9-5B-2 and 9-5B-4 of the City of Lemoore Zoning Ordinance related to noise, odor, and vibration, lighting and maintenance.
6. The time limits and potential extensions and expiration of this Conditional Use Permit are established per Section 9-2A-9 of the City of Lemoore Zoning Ordinance.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on July 8, 2024, by the following votes:

AYES:
NOES:
ABSTAINING:
ABSENT:

APPROVED:

Mitchell Couch, Chair

ATTEST:

Kristie Baley, Commission Secretary

RESOLUTION NO. 2021-13

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
APPROVING CONDITIONAL USE PERMIT NO. 2021-03 and FINDING OF PUBLIC CONVENIENCE
OR NECESSITY TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-SITE
CONSUMPTION (TYPE 20 ABC LICENSE) AT 10 NORTH BELLE HAVEN DRIVE
IN THE CITY OF LEMOORE**

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on September 13, 2021, at 7:00 p.m. on said day, it was moved by Commissioner ETCHEGOIN, seconded by Commissioner FRANKLIN, and carried that the following Resolution be adopted:

WHEREAS, Legacy Realty and Development has requested a conditional use permit (CUP) to allow the sale of alcoholic beverages for off-site consumption at 10 North Belle Haven Drive in the City of Lemoore (APN 023-480-028); and

WHEREAS, the proposed site has conditional approval for gas station and convenience store (CUP No. 2021-01); and

WHEREAS, the zoning on the parcel is Regional Commercial; and

WHEREAS, The project was previously reviewed pursuant to the California Environmental Quality Act (CEQA) and does not require additional CEQA environmental review pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162; and

WHEREAS, the Lemoore Planning Commission held a duly noticed public hearing at its September 13, 2021, meeting.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby makes the following findings regarding the proposed Conditional Use Permit No. 2021-03 based on facts detailed in the September 13, 2021 Staff Report, which is hereby incorporated by reference, as well as the evidence and testimony presented during the Public Hearing:

1. The proposed use is consistent with the General Plan, any applicable specific plans, and all applicable provisions of the Zoning Code.
2. The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the City. The site is located near other compatible commercial uses.
3. The site of the proposed use is physically suitable for the type, density, and intensity of the use and related structures being proposed. The applicant may be required by ABC to make physical changes to conform to their standards, if needed.
4. It will not be contrary to the specific intent clauses, development regulations, or performance standards established for the zoning district in which it is located. The

proposed use and related structures are compatible with other land uses, transportation patterns, and service facilities in the vicinity.

5. There are no park facilities, school facilities, or existing religious land uses within 500 feet of the site.
6. The public convenience or necessity would be served by the granting of the CUP and Type 20 ABC license.
7. The project was previously reviewed pursuant to CEQA and does not require additional CEQA environmental review pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore hereby approves Conditional Use Permit No. 2021-03 subject to the following conditions:

1. The site shall be developed consistent with Major Site Plan Review No. 2021-03 and Conditional Use Permit No. 2021-01 and applicable Development Standards found in the City of Lemoore Zoning Ordinance.
2. The operation shall be conducted in accordance with this Conditional Use Permit. Any deviations from the approvals shall first require approval of an amendment to this Conditional Use Permit.
3. The establishment shall obtain and maintain a valid Type 20 license from Alcoholic Beverage Control (ABC). A change to a license type that is deemed more intensive than a Type 20 license shall require an amendment to this Conditional Use Permit.
4. The establishment shall comply with all federal and state laws regarding the sale of alcohol.
5. Business hours and the sale of alcohol shall comply with ABC regulations.
6. All subsequent uses must meet the requirements found in Section 9-5B-2 and 9-5B-4 of the City of Lemoore Zoning Ordinance related to noise, odor, and vibration, lighting and maintenance.
7. The time limits and potential extensions and expiration of this Conditional Use Permit are established per Section 9-2A-9 of the City of Lemoore Zoning Ordinance.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on September 13, 2021, by the following votes:

AYES: ETCHEGOIN, FRANKLIN, BREWER, CLEMENT, DEY

NOES:

ABSTAINING:

ABSENT: MEADE, NIX

APPROVED:



Michael Dey, Vice Chair

ATTEST:



Kristie Baley, Commission Secretary

RESOLUTION NO. 2021-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE APPROVING
MAJOR SITE PLAN REVIEW NO. 2021-03 AND CONDITIONAL USE PERMIT NO. 2021-01 TO
ALLOW A CONVENIENCE STORE WITH FOOD SERVICE AND OTHER RETAIL, A DRIVE THROUGH
WINDOW, AN ON-SITE CAR WASH, AND A 6-PUMP FUEL STATION
LOCATED ON THE NORTHEAST CORNER OF BUSH STREET AND
BELLE HAVEN DRIVE IN THE CITY OF LEMOORE

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on April 12, 2021, at 7:00 p.m. on said day, it was moved by Commissioner Dey, seconded by Commissioner Franklin, and carried that the following Resolution be adopted:

WHEREAS, LJQ Partners LLC has requested approval of a Major Site Plan Review and Conditional Use Permit to allow a convenience store with food service and other retail, a drive through window, an on-site car wash, and a 6-pump fuel station located at the northeast corner of Bush Street and Belle Haven Drive in the City of Lemoore (APN 023-470-012 portion); and

WHEREAS, the proposed site is a vacant parcel; and

WHEREAS, the General Plan designates the parcel as Regional Commercial; and

WHEREAS, the zoning on the parcel is Regional Commercial; and

WHEREAS, it has been determined that the project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) per Section 15303 (New Construction and Small Structures) and Section 15332 (Infill Development Projects); and

WHEREAS, the Lemoore Planning Commission held a duly noticed public hearing at its April 12, 2021, meeting.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby makes the following findings regarding the proposed Major Site Plan Review No. 2021-03 and Conditional use Permit No. 2021-01, based on the facts detailed in the April 12, 2021, staff report, which is hereby incorporated by reference, as well as the evidence and testimony presented during the Public Hearing:

1. The proposed project is consistent with the objectives of the general plan and complies with applicable zoning regulations, specific plan provisions, and improvement standards adopted by the City.
2. The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site. The use is compatible with other existing uses near the site.
3. The architecture, character, and scale of the buildings and the site are compatible with the character of buildings on adjoining and nearby properties.
4. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.
5. There are no potentially significant project-specific impacts peculiar to the site, nor are there potentially significant off-site impacts or cumulative impacts which were not discussed in the prior environmental impact report (EIR) prepared for the Lemoore

General Plan. Mitigation measures and policies in the General Plan and General Plan EIR to protect environmental resources, such as cultural and tribal resources, shall apply to the project.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore finds that the project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) per Section 15303 (New Construction of Small Structures) and Section 15532 (Infill Development Projects), and approves Major Site Plan Review No. 2021-03 and Conditional Use Permit No. 2021-01 subject to the following conditions:

1. The site shall be developed in conformance with the approved site plan, the Major Site Plan Review No. 2021-03 comments dated April 12, 2021, with attached checklists, applicable City standards and policies, and the Lemoore Municipal Code.
2. The applicant shall submit improvement plans detailing all proposed work. Improvements may be deferred to development of the first parcel.
3. The applicant/property owner shall provide right of way dedication at the southwest and southeast corners of the site to accommodate the ultimate conceptual design of the roundabouts that have been conceptually designed for Bush Street.
4. The applicant/property owner shall provide a reciprocal access easement for access between the two (2) commercial parcels. The recorded copy of the agreement shall be provided to the City prior to issuance of building permits.
5. A 15-foot landscape buffer shall be maintained on the property along Belle Haven Drive. The paving and drive approaches shall be redesigned accordingly, and the setback area shall be landscaped.
6. A 10-foot landscape buffer shall be maintained on the property along Bush Street. The parking area shall be moved north to accommodate the 10-foot buffer area on the site. The area between the property line and the back of sidewalk shall also be landscaped. The landscape/irrigation design should consider the future widening of Bush Street.
7. Per City Engineer recommendation and to comply with City ordinance, the southern-most entry drive shall be narrowed to a 21-foot width and designed for an 'entry only', with designated signage.
8. All fuel tanks shall be buried underground.
9. All signage shall be approved by separate permit. All signage shall be located on private property.
10. Any highway signage shall be approved by separate permit.
11. The master grading and drainage plan shall be prepared by a registered civil engineer or project architect and shall be required with development of first parcel per approved Major Site Plan Review 2021-03 and Public Works/City Engineering comments dated April 12, 2021.

12. The applicant shall underground all existing overhead utilities within the project limits. This condition can be deferred to time of construction.
13. The applicant shall abandon any existing wells per Code and obtain appropriate building permits, as required. This condition can be deferred to time of construction of the site.
14. The applicant shall remove any existing irrigation lines and dispose off-site during site development. This condition can be deferred to time of construction of the site.
15. The applicant shall remove any existing leach fields and septic tanks during site development. This condition can be deferred to time of construction of the site.
16. Major Site Plan Review No. 2021-03 and Conditional use Permit No. 2021-01 shall expire 24 months from the date of Planning Commission approval unless a building permit is approved or the developer files an extension per Section 9-2A-9 of the City of Lemoore Municipal Code and is granted approval by the Planning Commission.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on April 12, 2021, by the following votes:

AYES: Etchegoin, Brewer, Clément, Franklin, Dey, Meade

NOES:

ABSTAINING:

ABSENT: Nix

APPROVED:



Ron Meade, Chairperson

ATTEST:



Kristie Baley, Planning Commission Secretary