

# CORCORAN PLANNING COMMISSION

## AGENDA

City Council Chambers  
1015 Chittenden Avenue  
Corcoran, CA 92312

Monday, April 3, 2017  
5:30 P.M.

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**Public Inspection:** A detailed Planning Commission packet is available for review at Corcoran City Hall, located at 832 Whitley Avenue

**Notice of ADA Compliance:** In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerks office at (559) 992-2151 ext. 235.

**Public Comment:** Members of the audience may address the Planning Commission on non-agenda items; however, in accordance with Government Code Section 54954.2, the Planning Commission may not (except in very specific instances) take action on an item not appearing on the posted agenda.

This is just the time for members of the public to comment on any matter within the jurisdiction of the Corcoran Planning Commission. Planning Commission will ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome.

After receiving recognition from the chair, speaker will walk to the podium and state name and address and proceed with comments. Each speaker will be limited to five (5) minutes.

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### ROLL CALL

Chairman:	David Bega
Vice-Chairman:	Troy Van Velson
Commissioner:	Clarence Cryer
Commissioner:	Vacant
Commissioner:	David Jarvis
Commissioner:	Ron Subia
Commissioner:	Dennis Tristao
Alternate Commissioner:	Shea DeVaney
Alternate Commissioner:	Karl Kassner
Alternate Commissioner:	Janet Watkins

### FLAG SALUTE

#### 1. PUBLIC DISCUSSION

#### 2. APPROVAL OF MINUTES

2.1 Approval of minutes of the Planning Commission meeting on March 20, 2017

3. **RE-ORGANIZATION - None**

4. **PUBLIC HEARING**

4-1. Tentative Parcel Map 16-04: 2650 Patterson Avenue (APN #: 034-120-018).

*(Tromborg) (VV)*

- A. Continuation of Public hearing
- B. Staff Report
- C. Accept written testimony
- D. Accept oral testimony
- E. Close hearing
- F. Commission discussion
- G. By motion, approve/approve with changes/deny recommendation.

4-2. Conditional Use Permit 17-01: 1017 Whitley Avenue (APN #: 032-033-004).

*(Tromborg) (VV)*

- A. Continuation of Public hearing
- B. Staff Report
- C. Accept written testimony
- D. Accept oral testimony
- E. Close hearing
- F. Commission discussion
- G. By motion, approve/approve with changes/deny recommendation.

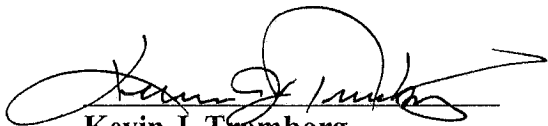
5. **STAFF REPORTS**

6. **MATTERS FOR PLANNING COMMISSION**

- 6.1. Information Items
- 6.2. Staff Referrals - *Items of Interest (Non-action items the Commission may wish to discuss)*
- 6.3. Committee Reports - None

7. **ADJOURNMENT**

I certify that I caused this Agenda of the Corcoran Planning Commission meeting to be posted at the City Council Chambers, 1015 Chittenden Avenue on March 30, 2017.



**Kevin J. Tromborg**  
Community Development Director

**MINUTES  
CORCORAN PLANNING COMMISSION  
REGULAR MEETING  
MONDAY, MARCH 20, 2017**

The regular session of the Corcoran Planning Commission was called to order by Chairperson David Bega, in the City Council Chambers, 1015 Chittenden Avenue, Corcoran, CA at 5:32 P.M.

**ROLL CALL**

Commissioners present: Bega, Cryer, DeVaney, Kassner, Jarvis and Van Velson

Alternate present: Watkins

Commissioners absent: Subia and Tristao

Staff present: Kevin Tromborg and Ma. Josephine Lindsey

Press present: None

Also present:

**FLAG SALUTE** The flag salute was led by Bega.

A quorum was declared in the presence of six (6) six Commissioners and 1 (one) alternate.

Tromborg informed the Commission of the resignation of Mike Graville from the Planning Commission. A letter resignation was received on March 20, 2017.

1. **PUBLIC DISCUSSION**

2. **APPROVAL OF MINUTES**

Following Commission discussion, a **motion** was made by Van Velson and seconded by Cryer to approve the minutes of February 27, 2017. Motion carried by the following vote:

**AYES:** Bega, Cryer, DeVaney, Kassner and Van Velson

**NOES:** None

**ABSTAIN:** Jarvis

**ABSENT:** Subia and Tristao

3. **RE-ORGANIZATION** – None

4. **PUBLIC HEARING**

At this point, Tromborg mentioned that an email from Corcoran Journal was received informing the City that they failed to put the notice of public hearing for items 4.2 and 4.3 in March 8, 2017 issue of the newspaper.

Options identified were: to open up a public hearing until the next regular meeting of the Planning Commission on April 17, 2017 or to hold a special meeting on April 3, 2017.

In consideration of the request of the proponent, Mr. Fred Figueroa, who was also present during the meeting, the Commission agreed to hold a special Planning Commission meeting on April 3, 2017. The staff received an instruction to publish the public hearing notice both for CUP 17-01 and TPM 16-04.

**4.1** Continuation of Public Hearing to discuss Tentative Parcel Map 16-03: James Avenue was declared open at 5:45 p.m. Tromborg presented the staff report. Having no oral and written testimony, the public hearing was declared closed at 5:51 p.m.

Following Commission discussion, a **motion** was made by Van Velson and seconded by Jarvis to approve the Tentative Parcel Map 16-03: James Avenue, Corcoran, CA 93212. Motion carried by the following vote:

**AYES:** Bega, Cryer, DeVaney, Kassner, Jarvis and Van Velson  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Subia and Tristao

**5. STAFF REPORTS – None**

**6. MATTERS FOR COMMISSION**

**6.1** Commission received the following information items:

- Building Permit Report for January and February 2017

**6.2** Committee Reports - None

**8. ADJOURNMENT**

At 6:00 P.M., the meeting was adjourned to the next special meeting of the Planning Commission on Monday, April 3, 2017 at 5:30 P.M. in the Corcoran City Council Chambers 1015 Chittenden Avenue, Corcoran, CA 93212.

APPROVED ON: \_\_\_\_\_

\_\_\_\_\_  
**David Bega**  
Planning Commission Chairperson

ATTEST:

\_\_\_\_\_  
**Kevin J. Tromborg**  
Community Development Director

City of

# CORCORAN

A MUNICIPAL CORPORATION

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## MEMORANDUM

**TO: CORCORAN PLANNING COMMISSION**

**FROM:** Kevin J. Tromborg  
Community Development Director

**SUBJECT: TENTATIVE PARCEL MAP 16-04 SUBMITTED BY IGNACIO & MARIA TORRES FOR PROPERTY GENERALLY LOCATED AT 2650 PATTERSON AVENUE, APN: 034-1 12-009**

**DATE:** April 3, 2017

### APPLICANT

Ignacio & Maria  
Torres 2650 Patterson  
Avenue Corcoran Ca  
93212

### PROPERTY

**OWNER**  
Ignacio & Maria  
Torres 2650 Patterson  
Avenue Corcoran Ca  
93212

### ENGINEER

Ron Roselius: Zumwalt I  
Hansen 609 N. Irwin Street  
Hanford Ca 93230  
(559) 582-1056

## PROPOSAL AND LOCATION

The applicant and owner proposes to divide the property know as 2650 Patterson Avenue form one parcel of approximately 202,019 Square feet into five parcels. The five parcels would be divided as such: One parcel with an existing house fronting Patterson Avenue of approximately 82,611 Square Feet. Four parcels of approximately 29,852 Square Feet fronting on Patterson Avenue.

## PROPERTY CHARACTERISTICS

### Background/Existing Land Use:

The property currently has a Single Family Dwelling. The property is not in a FEMA designated Flood Zone

### General Plan Designation and Zoning:

The General Plan and the zoning map designate the property as Single Family Residential (R-1-6). The proposed parcel division and its use are consistent with the General Plan and the Zoning Ordinance.

## ADJACENT LAND USE AND ZONING

Direction	Existing Land use	Zoning/General Plan
North	Residential	R-16
Sout	Residential	R-16
h	Multi-Family Residential	RM-3
West	Residential	R-16

### UTILITIES/PUBLIC SERVICES:

The private utility companies were contacted to review this tentative parcel map and no comments were received as of the date of preparation of this report. Comments concerning this tentative map can be found in Exhibit A.

### REQUIRED TENTATIVE TRACT FINDINGS:

#### A. Consistency Findings:

A consistency finding can be made because the proposed parcel map is consistent with the State Subdivision Map Act, General Plan, Zoning, and Subdivision Ordinances. This finding can be made based on the following:

1. The proposed lots meet the minimum requirements of the zoning ordinance.
2. The parcel map is being processed in accordance with the Subdivision Map Act and Corcoran Zoning Ordinance.
3. The proposed tentative parcel map is in compliance with the goals and Objectives of the General Plan.

#### Evidence:

Subdivision Map Act; General Plan; Zoning Ordinance; Proposed Tentative Parcel Map.

#### B. Design Finding:

A design finding can be made because the design of the parcel is consistent with the General Plan. This finding can be made based on the following:

1. The proposed lots have buildable lot configurations.

2. The proposed parcels meet site area, width and depth requirements of the Zone district, the zoning code and General Plan.

Evidence:

Proposed Parcel Map.

C. Type of Development Finding:

The site is physically suitable for the proposed type of development based on the following:

1. The site is flat and is within the area that is defined as "not a part" according to The Federal Emergency Management Agency flood insurance rate map.
2. The parcels are within the urbanized area of the City.
3. City water and sewer services are available to the parcels.

Evidence:

Flood Insurance Rate Map Community Panel No. 06031C0525C, dated 2009 General Plan Map; City sewer and water maps.

D. Density Findings:

A density finding can be made because the site is physically suitable for the proposed density of development. This finding can be made based on the following.

1. The parcels comply with the General Plan designation of Low density and the Zoning designation of R-16 which require a minimum of 6,000 Sq. Ft. per parcel.
2. The lot sizes of 82,611 Sq. Ft and 29,852 exceed the minimum.
3. The net density is approximately. *N/A* at this time. Dwelling units per acre. Low density Residential is considered generally to be in the range of 4.5 to 7.5 dwelling units per acre.

Evidence:

General Plan and Zoning Ordinance.

E. Environmental Findings:

An environmental finding can be appropriately made that the design of the parcel map and/or the proposed improvements are not likely to cause serious substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat based on the following:

1. The division of land is considered categorically exempt by CEQA guidelines section 15315, minor land divisions.

Evidence:

CEQA Guidelines.

F. Public Health Findings:

A public Health finding can be appropriately made because the design of the parcel map and/or type of improvements is not likely to cause serious public health problems. This finding can be made based on the following:

1. The application has been review by the County Health Department, Fire Department, building & Safety Department, and other involved departments and there were no required mitigations for health purposes.

Evidence:

Tentative Parcel Map; Planning Commission Resolution Conditions of Approval.

G. Improvements & Access Finding:

An improvement and access finding can be appropriately made because the design of the parcel map and/or the type of improvements will not conflict with easements, acquired by the public at large, for access of property within the proposed parcel map. This finding is based on the following:

1. All off-site improvements such as curb, gutter, sidewalk, driveway approach, and transitional paving, when installed by the developer will be inspected and/or verified to ensure the design materials and installation of said improvements meet or exceed standards adopted by the City of Corcoran.
2. The proposed parcel map abuts existing public streets



3. The developer will supply the City with a title report, legal descriptions, and deed drawings for all existing and required right-of-way and utility easements on the property.

Evidence:

Tentative Parcel Map, City of Corcoran Improvement Standards, Planning Commission Resolution Conditions of Approval.

#### RECOMMENDATION OF THE PLANNING COMMISSION:

The recommendation of the Planning Commission, along with any appeal filed by the Sub-divider or interested person shall be presented to the City Council for final action.

#### EXPIRATION OF MAPS AND EXTENSIONS:

The approval or conditional approval of a tentative parcel map shall expire no later than twenty four (24) months from the date the map was approved or conditionally approved. However, the map may be extended if the sub-divider has complied with Subdivision Map Act Sections 66452.6(a) and (e).

EXHIBIT A  
TENTATIVE PARCEL MAP 16-04

GENERAL DESIGN:

1. That the applicant in consideration of the approval of said tentative parcel map hereby agrees to hold harmless the City of Corcoran and all of its departments, officers, agents, or employees free and harmless of, and from any claims or any kind of nature arising out of or by reason of said project approval, and the development of said project by any person, firm or corporation, public or private, and from the cost and expense of defending the same including attorney's fees.
2. That the approval of this tentative parcel map does not exempt compliance with all applicable sections of the City of Corcoran Zoning Ordinance, Public works improvement standards, fees or other City Ordinances in effect at the time the building permits are issued. This shall include, but not limited to, capacity and impact fees which have been adopted by the City, have been approved in report form by the City but are awaiting enactment by resolution, and/or have been adopted by the City in resolution form but have not yet become effective under such resolution. Such fees shall be paid prior to obtaining building permits for the project. Or such earlier time set forth in the Corcoran Municipal Code.
3. That all proposals of the applicant are conditions of approval if not mentioned herein.
4. That the general design of the parcel map be approved with minor modifications being approved by the Community Development Department and the Public Works Department.
5. That the construction of the improvements be limited to day light hours.
6. That dust control measures as out lined by the Air Quality Control Board be taken during construction of improvements.

Building Department;

1. That, before any construction is started, a complete set of plans, engineering, or any other construction documents be provided for full review by the Building Department.
2. That a set of Curb, gutter, and sidewalk plan be submitted to the Building Department for full review by the City Engineer.
3. That the whole property is kept free of weeds, junk, garbage and fire hazards at all times.

Fire Department:

1. If applicable, Fire hydrants shall be installed in locations approved by the fire department as soon as combustible materials begin to accumulate at the site. Fire hydrants shall be operable and meet the fire flows required in the \_\_\_\_\_ edition of the Uniform Fire Code.
2. If applicable, Access roads of an all-weather surface shall be provided to all buildings and the roads shall maintained during the duration of the construction. The roads shall be capable of supporting heavy fire equipment and shall be a minimum of 20 ft. in width.

Public Works Department/Engineering

1. That all improvements to infrastructure comply with the City of Corcoran Improvement standards
2. That Patterson Avenue is extended and completed to City Standards by the developer or property owner before any Building permit is approved and issued.

Kings County Department of Public Health - No comments

San Joaquin V Air Pollution Control District - No comments

ZONING:

1. That the proposed map is subject to the R-16 zone district provisions.

ARCHEOLOGICAL:

1. That if any archeological resources are discovered during construction, the contractor shall stop immediately and notify the Community Development Department for appropriate mitigation measures.

EXPIRATION:

1. That this tentative map will become null and void after 24 months has elapsed from the date of approval, if the final map has not been recorded. The Planning Commission may grant a time extension if a written request and fee is received from the applicant prior to the expiration date.

**RESOLUTION NO. 17-02**

**CORCORAN CITY PLANNING COMMISSION  
PERTAINING TO TENTATIVE PARCEL MAP 16-04**

**WHEREAS**, Tentative Parcel Map 16-04, filed by Ignacio and Maria Torres is reviewed by the Planning Commission of the City of Corcoran; and

**WHEREAS**, the property is located at located at 2650 Patterson Avenue, APN: 034-112-009; and

**WHEREAS**, one parcel is proposed to be divided into five parcels; and

**WHEREAS**, the subject property is zoned R-1-6 Single Family Residential.; and

**WHEREAS**, this Commission held a continuation of public hearing and considered the staff report for Tentative Parcel Map 16-04 on April 3, 2017; and

**WHEREAS**, all affected public utility companies, various governmental department agencies and the Planning Commission have given careful consideration to this parcel map and have made recommendations thereon; and

**WHEREAS**, the project is Categoricaly Exempt from CEQA, Section 15315, Minor Land Divisions; and

**WHEREAS**, the Planning Commission has made the following findings for the tentative parcel map:

**PARCEL MAP**

1. The proposed lots meet the minimum requirements of the zoning ordinance.
2. The parcel map is being processed in accordance with the Subdivision Map Act and Corcoran Zoning Ordinance.
3. The proposed tentative parcel map is in compliance with the goals and Objectives of the General Plan.
4. The proposed division will not be finalized, and cannot be occupied, until after the parcel map is recorded.

ENVIRONMENTAL:

1. That the project is categorically exempt from CEQA, section 15315, minor land divisions therefore no Negative Declaration is required

**WHEREAS**, the Planning Commission has carefully considered recommendations and testimony presented at the public hearing of April 3, 2017; and

**THEREFORE, BE IT RESOLVED** that Tentative Parcel Map 16-04 be approved subject to the conditions listed in Exhibit A of this resolution.

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of Corcoran by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Adopted this 3<sup>rd</sup> April 2017

APPROVED:

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**David Bega**  
Planning Commission Chairman

ATTEST:

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**Kevin J. Tromborg**  
Community Development Director

**CERTIFICATE**

City of Corcoran        }  
County of Kings        } ss.  
State of California     }

I, Ma. Josephine D. Lindsey, Planning Commission Secretary of the City of Corcoran, hereby certify that this is a full, true and correct copy of Resolution No. 17-02 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 3<sup>rd</sup> day of April, 2017, by the vote as set forth therein.

DATED: April 3, 2017

\_\_\_\_\_  
Ma. Josephine D. Lindsey  
Planning Commission Secretary

ATTEST:

\_\_\_\_\_  
Marlene Lopez, City Clerk



## ENVIRONMENTAL INFORMATION FORM

(Please use ink or typewriter)

Applicant's Name   IGNACIO & MARIA TORRES  
Mailing Address    2650 PATTERSON AVENUE CORCORAN, CA 93212  
Address Of Subject Property   2650 PATTERSON AVENUE CORCORAN, CA 93212  
Assessor's Parcel Number and Lot Number   034-120-018  
Contact Name    RON ROSELIUS / ZUMWALT HANSEN & ASSOC., INC.  
Contact Address & Phone Number   609 N IRWIN STREET HANFORD, CA 93230  
559-582-1056

Indicate number of the permit application for the project to which this form pertains:   N/A

List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:   CORCORAN PLANNING COMMISSION HEARING, CORCORAN CITY COUNCIL & KINGS COUNTY AGENCIES

Existing zoning district:   R-1-6, SINGLE FAMILY RESIDENTIAL

Proposed use of site (Project for which this form is filed):   TENTATIVE PARCEL MAP – DIVIDE PROPERTY INTO FOUR (4) PARCELS AND A DESIGNATED REMAINDER

### PROJECT DESCRIPTION

1. Site Size.   332' X 609'
2. Square Footage.   202,019 SQ. FT.
3. Number of floors of construction.   N/A
4. Amount of off-street parking provided.   N/A
5. Attach plans.   N/A
6. Proposed scheduling.   N/A
7. Associated project.   N/A
8. Anticipated incremental development.   N/A
9. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected.   N/A
10. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.   N/A
11. If industrial, indicate type, estimated employment per shift, and loading facilities.   N/A
12. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.   N/A
13. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required.   N/A

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

- 14. Change in existing features of any bays, tidelands, beaches, hills, or substantial alteration of ground contours.  Yes X No
- 15. Change in scenic views or vistas from existing residential areas or public lands or roads.  Yes X No
- 16. Change in pattern, scale or character of general area of project.  Yes X No
- 17. Significant amounts of solid waste or litter.  Yes X No
- 18. Change in dust, ash, smoke, fumes or odors in vicinity.  Yes X No
- 19. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patters.  Yes X No
- 20. Substantial change in existing noise or vibration levels in the vicinity.  Yes X No
- 21. Site on filled land or on slope of 10 percent or more.  Yes X No
- 22. Use of disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.  Yes X No
- 23. Substantial change in demand for municipal services (police, fire, water, sewage, etc.).  Yes X No
- 24. Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc.).  Yes X No
- 25. Relationship to a larger project or series of projects.  Yes X No

**ENVIRONMENTAL SETTING**

- 26. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted. THE SITE HAS A SINGLE FAMILY RESIDENCE WITH TWO CARPORTS AND ONE SHED, NO ANIMALS ON SITE.
- 27. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted. PROPERTIES NORTH, SOUTH & WEST ARE VACANT LOTS, PROPERTY EAST IS MULTI FAMILY HOUSING, PROPERTIES SOUTHEAST & SOUTHWEST ARE SINGLE FAMILY RESIDENTIAL WITH LOTS OF VARIOUS SIZE.



I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability; and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

NOVEMBER 23, 2016  
Date

  
RON ROSELIUS / ZUMWALT HANSEN & ASSOC., INC  
Signature

IGNACIO & MARIA TORRES  
For

# TENTATIVE PARCEL MAP

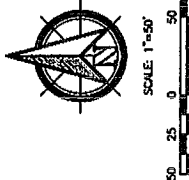
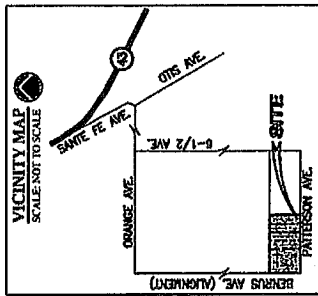
of a Portion of the Southeast Quarter of the Northwest Quarter of Section 15, T. 21 S., R. 22 E., M.D.B. & M., City of Concord, County of Alameda, State of California.

## OWNER

IGNACIO & MARIA TORRES  
2650 PATTERSON AVE.  
CONCORD, CA 92512  
PHONE: (559) 248-3999

## GENERAL INFORMATION

Existing Zone: R4-4  
Proposed Zone: R4-6  
Existing Use: RESIDENTIAL  
Proposed Use: RESIDENTIAL  
Sewer: CITY OF CONCORD  
Water: CITY OF CONCORD  
A.P.N.: 014-126-018



# SITE PLAN FOR TENTATIVE PARCEL MAP IGNACIO & MARIA TORRES



**ZUMWALT  
HANSEN &  
LAND SURVEYORS**  
609 N. Irwin St.  
Hanford, CA 93230  
Office: (559) 562-1056  
Fax: (559) 984-1143

DRAWN BY: RJU  
CHECKED BY: RJU  
INDEXED BY: RJU  
DATE: 11/20/06  
JOB NO.: 0760111  
SHEET: 1 OF 1

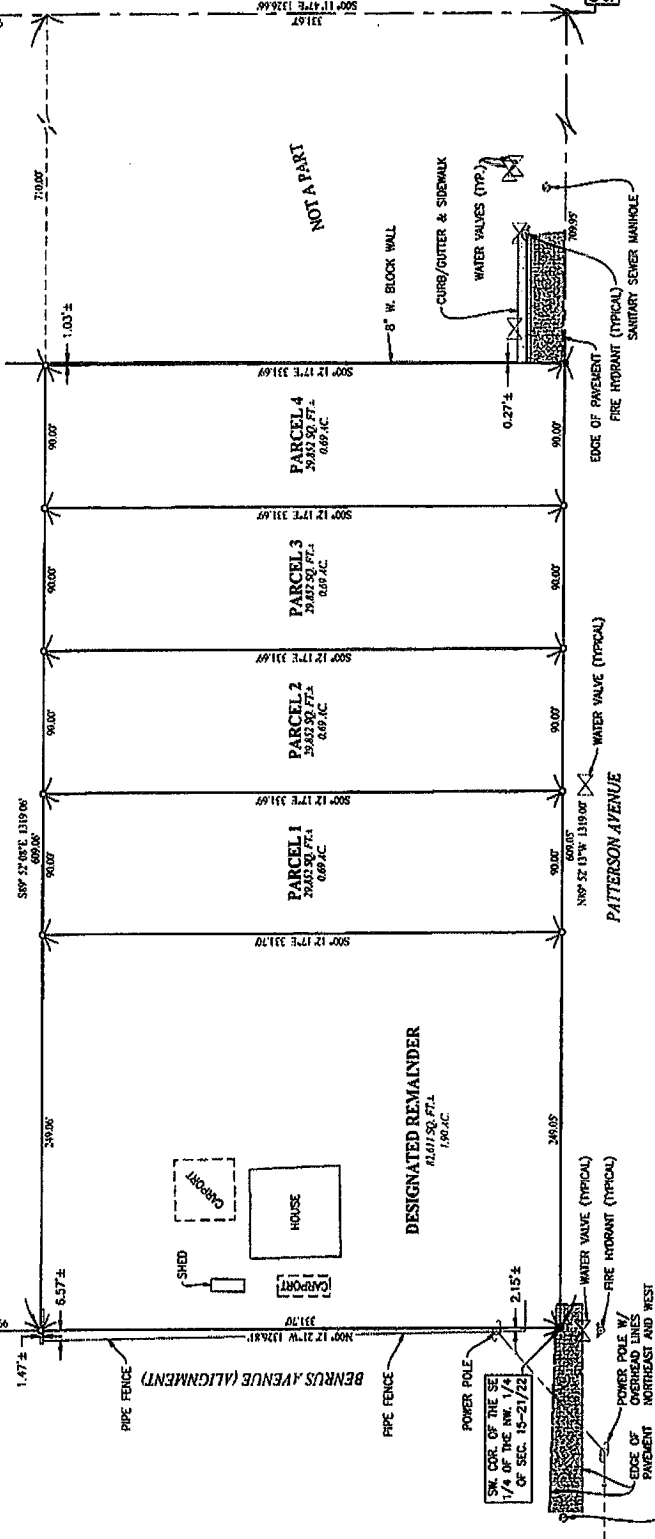
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6-1/2 AVENUE  
CENTER OF SECTION OF SEC. 15-21/22

NORTH AVENUE  
S89°51'57E 1319.33'

NW COR. OF THE SE 1/4 OF THE NW 1/4 OF SEC. 15-21/22

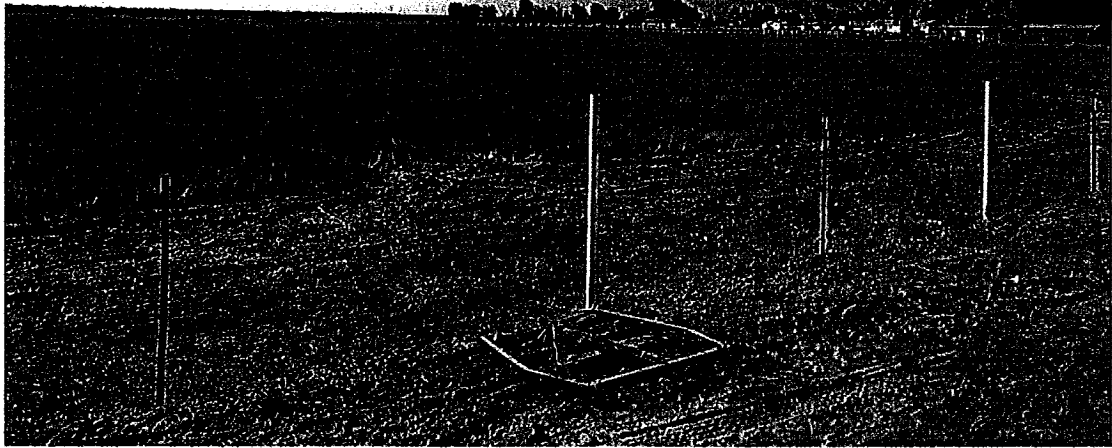
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FLOOR FILES\061111 Ignacio Torres\061111.dwg, 11/23/2016 2:27:48 PM, Plotted by RJU, Plot File:

LOOKING WNW FROM THE  
WEST SIDE OF THE PROPERTY  
(WEST OF THE HOUSE)



LOOKING WSW FROM THE  
WEST SIDE OF THE PROPERTY  
(WEST OF THE HOUSE)



LOOKING NORTH AT THE  
PROPERTY FROM THE SOUTH



LOOKING SSE FROM THE  
WEST SIDE OF THE PROPERTY  
(WEST OF THE HOUSE)



LOOKING SE FROM THE SE  
CORNER OF THE PROPERTY



LOOKING NE FROM THE  
NE CORNER OF THE PROPERTY

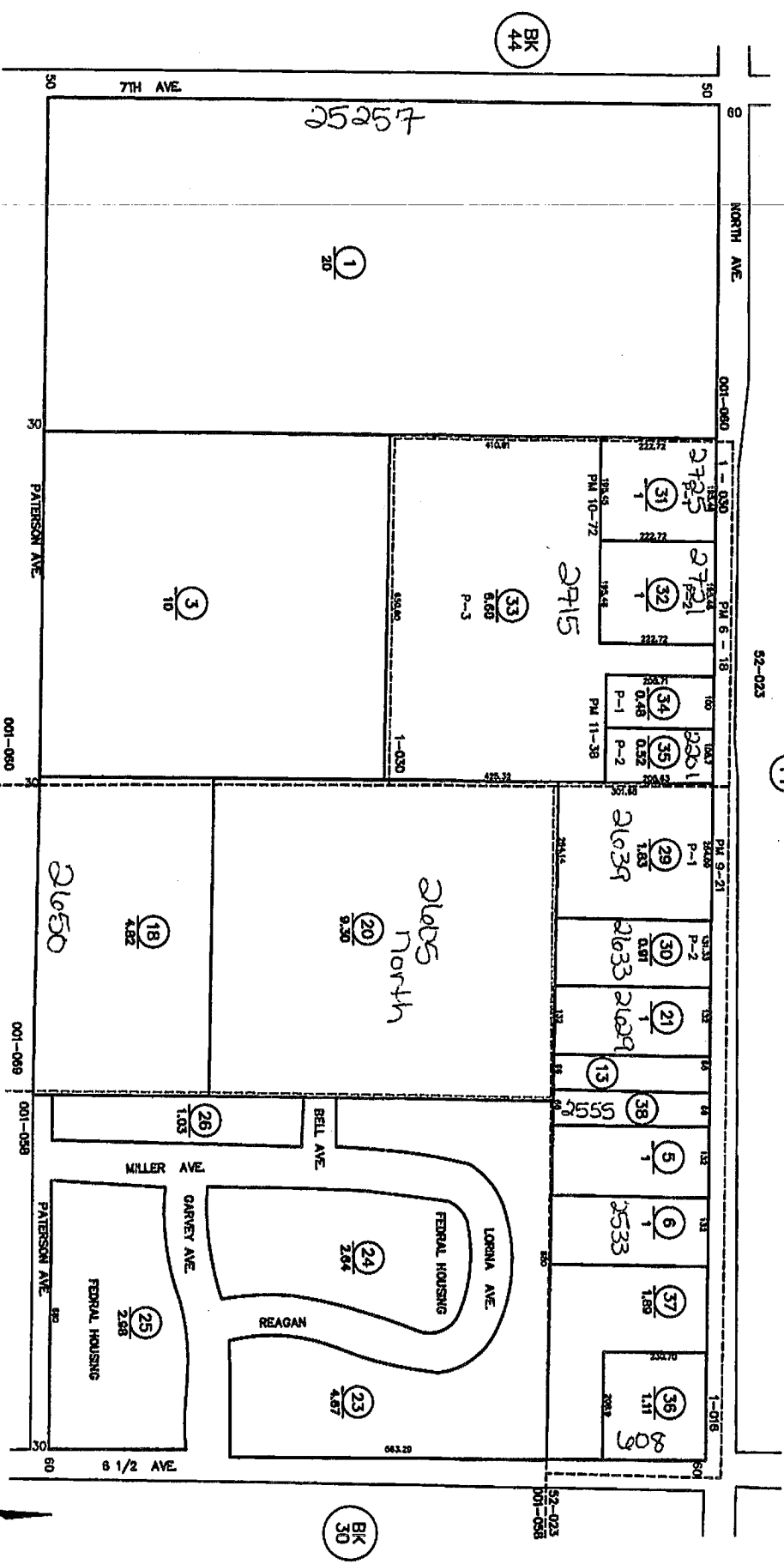


THIS MAP IS FOR ASSESSMENT PURPOSES ONLY. IT IS NOT TO BE CONSTRUED AS PORTRAYING LEGAL OWNERSHIP OR DIVISIONS OF LAND FOR PURPOSES OF RECORDING OR SUBDIVISION LAW. SEPTEMBER 2012

# KINGS COUNTY ASSESSOR'S MAP

## S 1/2 OF NW 1/4 SEC. 15-21-22

34-12



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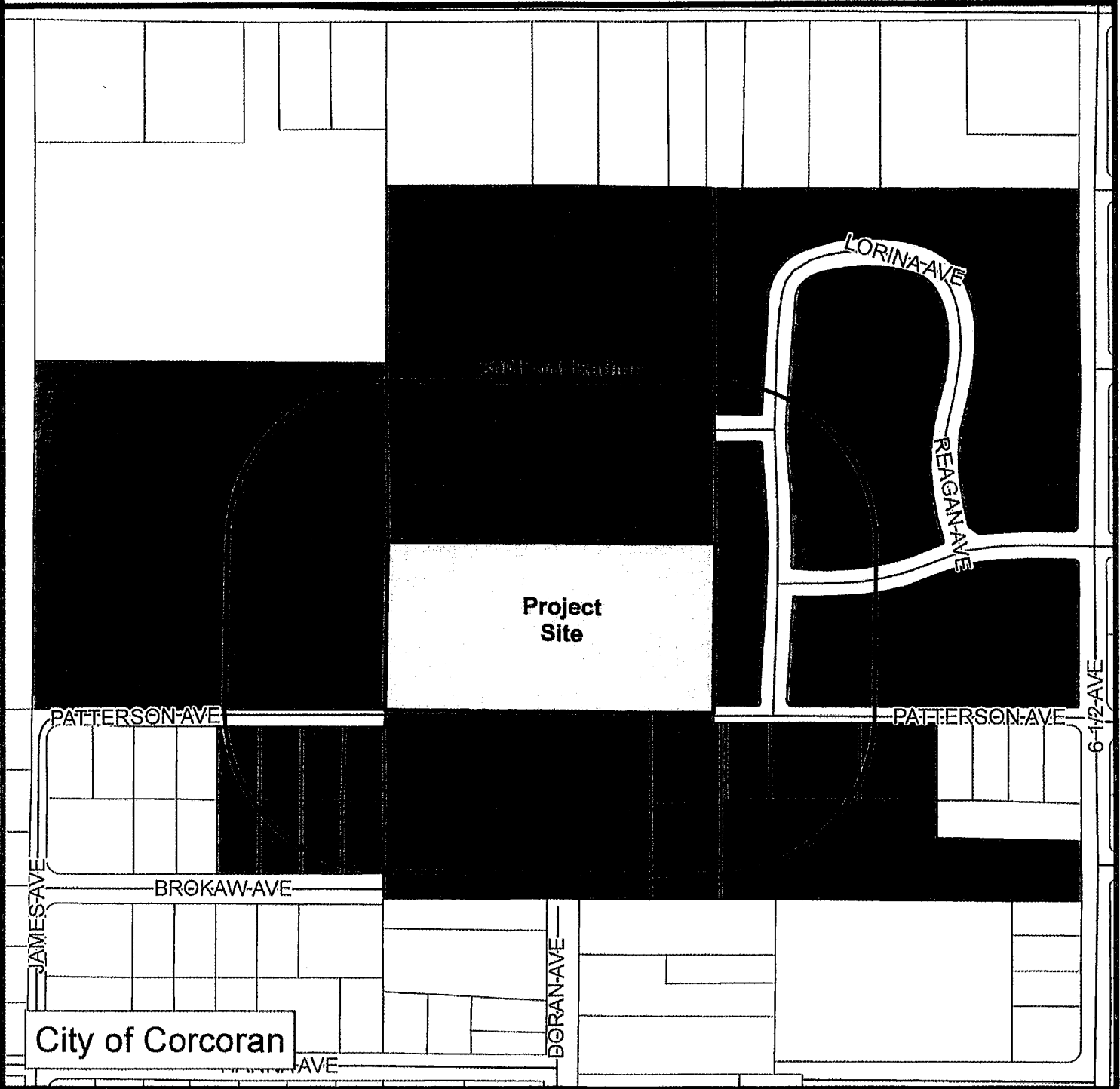


BK 44

BK 30

# Project Location & Mailing List Map

## APN: 034-120-018






City of Corcoran



Map prepared by  
**Kings County Community  
Development Agency**  
**October 6, 2016**  
1400 W. Lacey Boulevard, Hanford, CA 93230 (559) 582-3211 ext. 2670



### Legend

- Project Area 
- Properties within 300 foot radius 
- City Limit Boundary 

City of

# CORCORAN

A MUNICIPAL CORPORATION

FOUNDED 1914

MEMORANDUM

PUBLIC HEARING  
ITEM 4.3

**TO: CORCORAN PLANNING COMMISSION**

**FROM:** Kevin J. Tromborg  
Community Development Director, Planner, Building Official

**SUBJECT: CONDITIONAL USE PERMIT 17-01 TO PRODUCE, SELL AND  
CONSUME ALCOHOL FILED BY MR. FRED FIGUEROA  
REGARDING A PROPOSED RESTURANT, BREWERY, DISTILLARY  
LOCATED AT 1017 WHITLEY AVENUE. APN: 032-033-004**

**MEETING DATE: April 3, 2017**

**APPLICANT**

Fred Figueroa  
1508 North Avenue  
Corcoran Ca 93212

**PROPERTY OWNER**

Fred Figueroa  
1508 North Avenue  
Corcoran Ca 93212

**REPORT**

The applicant proposes to renovate the existing property, 1017 Whitley Avenue and construct a Restaurant, Brewery, and Distillery. The owner is in the process of applying to the Alcohol Beverage Control Office for a type 23 license, (Brewery with intent to sell product). If approved by the Planning Commission, the Conditional Use Permit (CUP) will not require a letter of convenience and necessity from the City of Corcoran because, at this time the City of Corcoran had no other application issued or pending for a type 23 license and therefore there is not an over concentration. However, because the intended use, (Alcohol sales and consumption) the final approval shall be brought before the City Council pending approval of the Planning Commission.



## **SURROUNDING ZONING AND USES**

<u>Use</u>	<u>Zoning</u>
Subject: Restaurant, Brewery and Distillery	CD: Downtown Commercial
North: Commercial	CD: Downtown Commercial
South: Commercial	CD: Downtown Commercial
East: Commercial	CD: Downtown Commercial
West: Commercial	CD: Downtown Commercial

All businesses in the Downtown Commercial District shall be subject to standards that may be required for new businesses as adopted in the Corcoran Zoning Code. Standards may include, but are not limited to:

### **COMPLIANCE WITH CEQA**

The building proposed for off-site alcoholic beverage sale and is existing and exempt under CEQA 15301, Existing Facilities.

### **APPLICATION FOR SITE PLAN REVIEW**

The applicant shall file an application for Site Plan Review with the Community Development Department and comply with all the finding of approval.

### **CONDITIONAL USE PERMIT FINDINGS**

The following findings are proposed:

- (A) The building is existing and categorically exempt under CEQA 15301, Existing Facilities.
- (B) There is not an over concentration of alcohol beverage licenses 23 in the area as identified by the Office of Alcohol Beverage Control.
- (C) A letter of convenience and necessity will not be required from the City Council if the Planning Commission approves the CUP. However, considering the proposed sale and Consumption of alcohol, final approval shall be required by the City Council.
- (D) That the site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this Title to adjust said use with land and use in the neighborhood;
- (E) That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;

(F) That the proposed use will have no adverse effects upon adjoining or other properties. In making this determination, the Commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings; walls and fences; landscaping; outdoor lighting; signs; and such other characteristics as will affect surrounding property;

(G) That the proposed use is consistent with the objectives and policies of the Corcoran General Plan, or any specific plans, or planned developments approved by the City;

**CONDITIONAL USE PERMIT-ACTION BY THE PLANNING COMMISSION** (from Zoning Ordinance Section 11-19-9)

The Planning Commission, by written resolution, may approve, approve with conditions, disapprove, or disapprove without prejudice a conditional use permit application.

The decision of the Planning Commission shall be final unless appealed to the City Council in accordance with the procedure outlined below. (In this case, if the Conditional Use Permit is approved by Planning Commission, then, because this requires a letter of public convenience and necessity from the City Council, the request will also go to the City Council).

No building permit or business license shall be issued where a conditional use permit has been approved or conditionally approved by the Planning Commission until such permit has been granted by the Planning Commission and after the appeal period has expired, and then only in accordance with the terms and conditions of the conditional use permit granted and only if the approval or conditional approval of the conditional use permit by the Planning Commission has not been appealed to the City Council pursuant to the procedure specified in Section 11-19-10.

**CONDITIONAL USE PERMIT-APPEAL TO THE CITY COUNCIL** (Section 11-19-10)

In case the applicant or any other party is not satisfied with the action of the Planning Commission he may, within ten days after the date of the adoption of the Planning Commission resolution, file in writing with the City Clerk an appeal to the City Council. The appeal shall state specifically wherein it is claimed that there was an error or abuse of discretion by the Planning Commission, or whereby its decision is not supported by the evidence in the record.

The City Council shall set a date a date for the public hearing and shall post notices as set fourth in Section 11-19-6. The date for the public hearing shall not be less than ten nor more than thirty days from the date on which the appeal was filed.

By resolution, the City Council may affirm, reverse or modify a decision of the Planning Commission, providing that the City Council make the findings prerequisite to the granting of a conditional use permit as required in Section 11-19-8.

The decision of the City Council shall be final, and shall have immediate effect.

**TIME LIMIT FOR DEVELOPMENT-RENEWAL RESTRICTIONS** (Zoning Ordinance Section 11-19-11)

A conditional use permit shall lapse and become void one year following the date on which the conditional use permit became effective unless by conditions of the conditional use permit a lesser or greater time is prescribed, or unless, prior to the expiration, either the use is being diligently pursued in accordance with the conditional use permit, or a building permit is issued by the Building Official and construction is commenced and is being diligently pursued in accordance with the conditional use permit. A conditional use permit may be renewed for an additional period of one year or for a lesser or greater period as may be specified, provided that an application for renewal is filed with the Planning Commission prior to the expiration of the time period granted. The Planning Commission, pursuant to the procedure set forth in Section 11-19-9, may grant or deny an application for renewal.

A conditional use permit shall lapse and become void if there is discontinuance for a continuous period of six months of the exercise of rights granted under said permit.

**NEW APPLICATION**

Should the Planning Commission deny an application for a use permit, no application for a use permit for the same or substantially the same use on the same or substantially the same site shall be filed within six (6) months from the date of denial or revocation of the use permit, except when the Planning Commission denies "without prejudice".

**USE PERMIT TO RUN WITH THE LAND** (Zoning Ordinance, Section 11-19-15).

A use permit granted pursuant to the provisions of this Chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the use permit application.

Any expansion of the use or structures or area associated with such use not originally approved in the conditional use permit shall require a modification to the conditional use permit through the public hearing process.

**REVOCAATION**

Upon violation of any applicable provisions of this Code, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a use permit shall be suspended automatically. Notice of such suspension shall be sent immediately to the person or persons responsible for noncompliance by the Planning Department. Within thirty (30) days of the suspension, the City Council shall consider the suspension. If not satisfied that the regulation, general provision, condition or conditions are being complied with, the City Council may revoke the use permit or take such action as may be necessary to ensure compliance with the regulation, general provision, condition or conditions. Before acting on the suspension, the City Council may refer the matter to the Planning Commission for a report and recommendations.

CORCORAN CITY PLANNING COMMISSION  
RESOLUTION NO. 17-03  
PERTAINING TO  
CONDITIONAL USE PERMIT 17-01

At a meeting of the Planning Commission of the City of Corcoran duly called and held on April 3, 2017, the Commission approved the following:

**Whereas**, Mr. Fred Figueroa, submitted an application requesting approval for a Conditional Use Permit for a type 23 Alcohol License (Brewery with intent to sell product) for a proposed business located at 1017 Whitley Avenue; and

**Whereas**, this Commission considered the staff report on April 3, 2017; and

**Whereas**, the Planning Commission has made the following findings pursuant to the City of Corcoran Zoning Ordinance;

- (A) The proposed business is to be located in an existing building that is zoned for this type of business and therefore is categorically exempt under CEQA 15301 as an existing facility.
- (B) There is not an over concentration of alcohol beverage licenses 23 in the area as identified by the Office of Alcohol Beverage Control.
- (C) That the owner or developer apply for Site Plan Review to be reviewed by all Department and outside agencies that may require oversight prior to the issuance of a Building Permit.
- (D) A letter of convenience and necessity will not be required from the City Council if the Planning Commission approves the CUP.
- (E) That the site for the proposed use is adequate in size and shape to accommodate the said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this Title to adjust said use with land and use in the neighborhood;
- (F) That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
- (G) That the proposed use will have no adverse effect upon adjoining or other properties and that a Site Plan Review application be submitted for full review by Community Development Staff and other agencies as may be required.
- (H) That the proposed use is consistent with the objectives and the policies of the Corcoran General Plan, or any specific plans, area plans, or planned development approved by the City;

**IT IS THEREFORE RESOLVED** that Conditional Use Permit 17-01 should be approved with the Conditions stated in Exhibit A, General Conditions, and that the Planning Commission recommends to the City Council approval for Conditional Use Permit 17-01.

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AYES:

NOES:

ABSENT:

ABSTAIN:

PASSED AND ADOPTED on this 3<sup>rd</sup> day of April 2017

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**David Bega**  
Planning Commission Chairman

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**Kevin J. Tromborg**  
Community Development Director

EXHIBIT A  
CONDITIONAL USE PERMIT

**General Conditions:**

1. That the applicant in consideration of the approval of said project hereby agrees to hold harmless the City of Corcoran and all of its departments, officers, agents, or employees free and harmless of, and from any claims or any kind of nature arising out of or by reason of said project, and the development of said project by any person, firm or corporation, public or private, and from the cost and expense of defending the same including attorneys fees.
2. That all proposals of the applicant be conditions of approval if not mentioned herein.
3. That the business complies with any and all local, state and federal laws and regulations governing the sale of alcohol.
4. That Site Plan Review application is submitted and approved prior to Building permit approval.
5. Improvements to existing Landscaping Standards: Required as per 11-12-5-D (2) and Under general provisions 11-17-7 landscaping Corcoran Zoning Code.
6. All waste handling equipment shall be fully screened from public view.
7. All signage shall comply with the requirements of the City of Corcoran Zoning ordinance, and the California Building Code.

**CERTIFICATE**

City of Corcoran }  
County of Kings } ss.  
State of California }

I, Ma. Josephine D. Lindsey, Planning Commission Secretary of the City of Corcoran, hereby certify that this is a full, true and correct copy of Resolution No. 17-03 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 3<sup>rd</sup> day of April, 2017, by the vote as set forth therein.

DATED: April 3, 2017

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Ma. Josephine D. Lindsey  
Planning Commission Secretary

ATTEST:

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Marlene Lopez, City Clerk