

CORCORAN PLANNING COMMISSION

AGENDA

City Council Chambers
1015 Chittenden Avenue
Corcoran, CA 92312

Monday, April 17, 2017
5:30 P.M.

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.

ROLL CALL

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

FLAG SALUTE

1. **PUBLIC DISCUSSION**
2. **APPROVAL OF MINUTES**
 - 2.1 Approval of minutes of the special Planning Commission meeting on April 3, 2017
3. **RE-ORGANIZATION - None**

4. **PUBLIC HEARING**

4-1. Conditional Use Permit 17-02: 929 Whitley Avenue (APN #: 032-041-004) for Art Collective and Tattoo Studio. (*Tromborg*) (*VV*)

- A. 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.

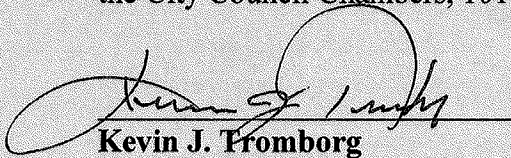
5. **STAFF REPORTS**

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 April 13, 2017.



Kevin J. Tromborg
Community Development Director

**MINUTES
CORCORAN PLANNING COMMISSION
SPECIAL MEETING
MONDAY, APRIL 3, 2017**

The special 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 5:30 P.M.

ROLL CALL

Commissioners present: Bega, Jarvis and Van Velson
Alternate present: DeVaney
Commissioners absent: Cryer, Subia, Tristao and Watkins
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 three (3) Commissioners and 1 (one) alternate Commissioner.

1. **PUBLIC DISCUSSION** - None
2. **APPROVAL OF MINUTES**

Following Commission discussion, a **motion** was made by Jarvis and seconded by DeVaney to approve the minutes of March 20, 2017. Motion carried by the following vote:

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

3. **RE-ORGANIZATION** – None
4. **PUBLIC HEARING**

With the presence of the applicant, Mr. Fred Figueroa, who submitted the Conditional Use Permit application 17-01, Chairman Bega suggested to table agenda item 4.2 first, which was agreed by the rest of the Commissioners.

- 4.2 Continuation of Public Hearing to discuss Conditional Use Permit 17-01: 1017 Whitley Avenue (APN #: 032-033-004) was declared open at 5:34 p.m. Tromborg presented the staff report. Having no oral and written testimony, the public hearing was closed at 5:51 p.m.

One of the concerns raised was the availability of parking space. Tromborg explained that this will be addressed during the site plan review. Following Commission discussion, a **motion** was made by Van Velson and seconded by DeVaney to approve the Conditional Use Permit 17-01: 1017 Whitley Avenue for a restaurant, brewery and distillery. Motion carried by the following vote:

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

- 4.1 Continuation of Public Hearing to discuss Tentative Parcel Map 16-04: 2650 Patterson Avenue was declared open at 5:53 p.m. Tromborg presented the staff report. Having no oral and written testimony, the public hearing was closed at 6:17 p.m.

Following Commission discussion, a **motion** was made by Jarvis to approve the Tentative Parcel Map 16-04: 2650 Patterson Avenue with correction on the APN number as 034-120-018. Motion was seconded by DeVaney and carried by the following vote:

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

5. **STAFF REPORTS** – None

6. **MATTERS FOR COMMISSION**

- 6.1 Commission received no information item
6.2 Committee Reports - None

8. **ADJOURNMENT**

At 6:20 P.M., the meeting was adjourned to the next regular meeting of Monday, April 17, 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

FOUNDED 1914

MEMORANDUM

**PUBLIC HEARING
ITEM 4.1**

TO: CORCORAN PLANNING COMMISSION

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

**SUBJECT: CONDITIONAL USE PERMIT 17-02 REGARDING PROPOSED ART
COLLECTIVE AND TATTOO STUDIO LOCATED AT 929
WHITLEY AVENUE. APN: 032-041-004**

MEETING DATE: April 17, 2017

APPLICANT

Austin Matthews & Madison Gilbert
23133 5th Avenue
Corcoran Ca 93212

PROPERTY OWNER

Raul Arreola
927 Whitley Avenue
Corcoran Ca 93212

REPORT

The applicant proposes to open an Art Collective and Tattoo Studio to an existing property, 929 Whitley Avenue. The Downtown Commercial Zone allows for both Body Art Tattoo parlors through a Conditional Use Permit, and Art galleries are a permitted use.

SURROUNDING ZONING AND USES

Use

Subject: Tattoo Studio
North: Commercial
South: Commercial
East: Commercial
West: Commercial

Zoning

CD: Downtown Commercial
CD: Downtown Commercial
CD: Downtown Commercial
CD: Downtown 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) 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;
- (C) 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;
- (D) 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;
- (E) 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.

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.

REVOCATION

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.

RESOLUTION NO. 17-04
CORCORAN CITY PLANNING COMMISSION
PERTAINING TO
CONDITIONAL USE PERMIT 17-02

At a meeting of the Planning Commission of the City of Corcoran duly called and held on April 17, 2017, the Commission approved the following:

Whereas, Austin Matthews and Madison Gilbert, submitted an application requesting approval for a Conditional Use Permit for Art Collective and Tattoo Studio located at 929 Whitley Avenue, Corcoran, CA 93212; and

Whereas, this Commission considered the staff report on April 17, 2017; and

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

- (A) The building is existing and categorically exempt under CEQA 15301, Existing Facilities.
- (B) 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;
- (C) 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;
- (D) 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;
- (E) 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;

IT IS THEREFORE RESOLVED that Conditional Use Permit 17-02 should be approved with the Conditions stated in Exhibit A, General Conditions.

AYES:

NOES:

ABSENT:

ABSTAIN:

PASSED AND ADOPTED on this 17th day of April 2017

David Bega
Planning Commission Chairman

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. 17-04 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 17th day of April, 2017, by the vote as set forth therein.

DATED: April 17, 2017

Ma. Josephine D. Lindsey
Planning Commission Secretary

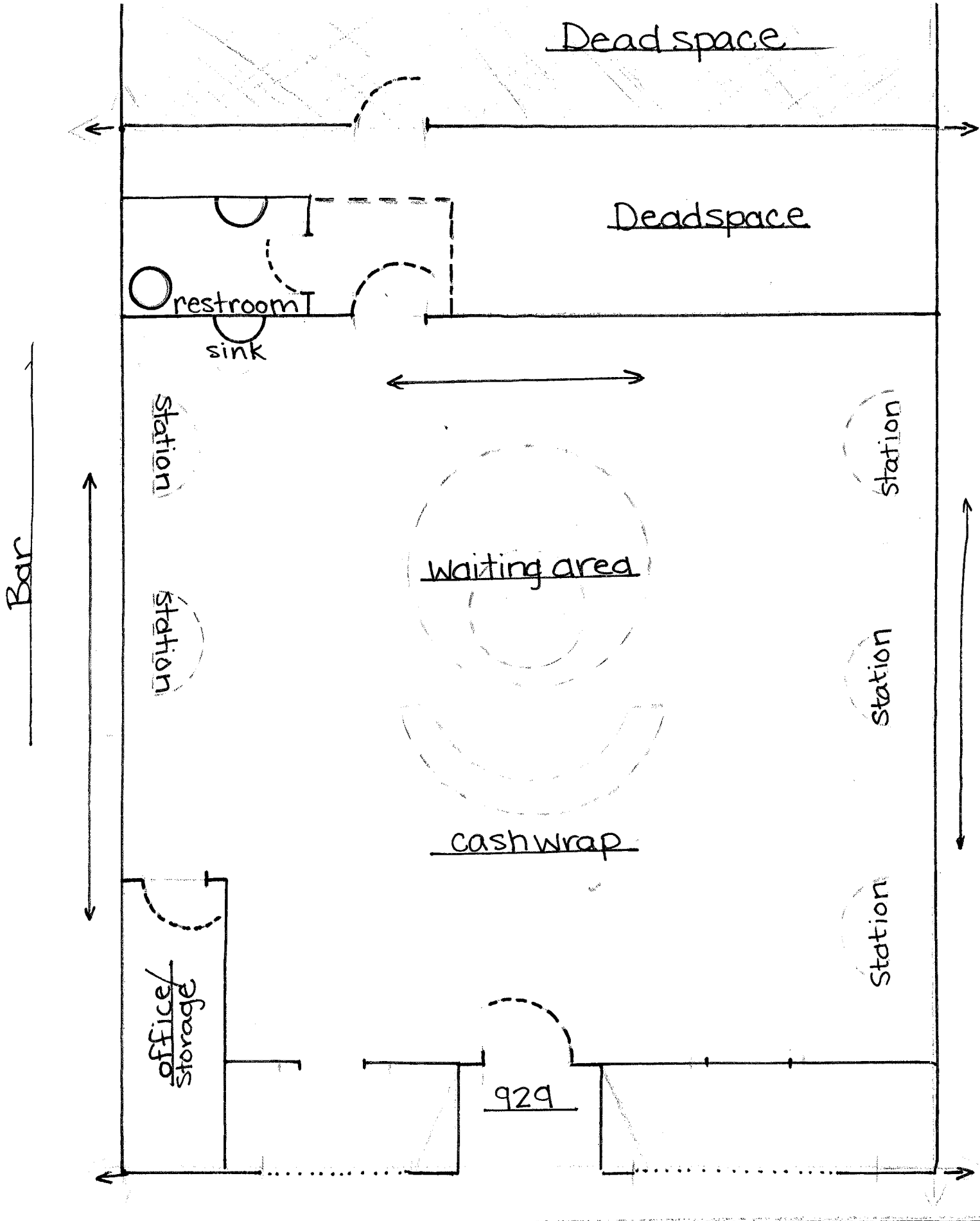
ATTEST:

Marlene Lopez, City Clerk

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 Body Art Tattoo Parlors.
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.
8. That a Knox Box is installed as per City Ordinance
9. That security camera(s) are installed with full coverage of the exterior front door.
10. That the business complies with all rules and regulation from Kings County Health Department regarding the Body Art Tattoo Parlor.
11. That the business owner keep the façade of the building in its original state.
12. That all signage is approved by the City prior to installation.
13. That the business keeps the sidewalks clean and clear at all times











Whitley AVE.

CUP 17-02

Write a description for your map.

Legend

-  7/2013
-  929 Whitley Ave
-  Boston House of Pizza
-  Christmas Tree Park
-  Corcoran City Administration
-  Corcoran True Value Hardware
-  Proposed Tattoo Studio
-  Richard's Chevrolet Buick

Proposed Tattoo Studio

929 Whitley Ave





**PLANNING COMMISSION UPDATES
PENDING FURTHER ACTION or RESOLUTION BY STAFF**

DATE	INFORMATION ITEM	STATUS
4/17/17	March 2017 Building & Planning Report	

City of Corcoran

City of Corcoran Building Division

Permit Report for Date Range of: 3/1/2017 to 3/31/2017

Type of Construction	Permits	Fees	Valuation
CORCORAN			
<u>COMMERCIAL</u>			
COMMERCIAL REPAIR	1	232.40	5,000.00
ELECTRIC PERMIT	1	77.50	1,500.00
STRUCTURE OTHER THAN A BLDG	1	142.64	5,000.00
NEW OFFICE	1	547.99	50,000.00
PLUMBING PERMIT	1	458.20	15,000.00
TOTAL FOR : COMMERCIAL	5	1,458.73	76,500.00
<u>ENGINEERING</u>			
ENCROACHMENT	1	77.00	0.00
TOTAL FOR : ENGINEERING	1	77.00	0.00
<u>RESIDENTIAL</u>			
MECHANICAL PERMIT	4	422.56	17,000.00
STRUCTURE OTHER THAN A BLDG	1	77.85	6,500.00
OTHER NON-RESIDENTIAL ADD/REM	1	213.29	10,000.00
RESIDENTIAL PATIO NEW/ADD	7	991.98	28,400.00
PLUMBING PERMIT	2	155.00	1,000.00
RE-ROOF	2	341.80	14,000.00
RESIDENTIAL DEMOLITION	1	77.50	800.00
SOLAR SYSTEM	6	1,856.81	67,700.00
REPLACING WINDOWS SFD	1	77.50	1,700.00
TOTAL FOR : RESIDENTIAL	25	4,214.29	147,100.00
<u>TRIPLEX</u>			
RE-ROOF	1	283.94	14,500.00
TOTAL FOR : TRIPLEX	1	283.94	14,500.00
TOTAL FOR : CORCORAN	32	6,033.96	238,100.00
KINGS COUNTY			
<u>RESIDENTIAL</u>			
SOLAR SYSTEM	1	312.68	36,000.00
TOTAL FOR : RESIDENTIAL	1	312.68	36,000.00
TOTAL FOR : KINGS COUNTY	1	312.68	36,000.00

Type of Construction	Permits	Fees	Valuation
	33	6,346.64	274,100.00

Permit Report for Date Range of: 3/1/2017 to 3/31/2017

Permit Type	Count	Fees
BUILDING PERMITS ISSUED	26	3,729.54
SMA PERMITS ISSUED	32	49.10
ELECTRIC PERMITS ISSUED	11	847.00
PLUMBING PERMITS ISSUED	4	385.00
MECHANICAL PERMITS ISSUED	4	308.00
PLAN CHECKS PERMITS ISSUED	9	651.00
ENCROACHMENT PERMITS ISSUED	2	377.00
	88	6,346.64

Approved Applications Listing

Report Date Range : 01/01/2017 to 03/31/2017

Ref	Applicant	Location	Submitted Date	Finalized Date	Applications
16-0011	NAGI MOHAMED	1805 DAIRY AVE	9 /15/2016	3 /21/2017	SPR16-01
		Commercial Center Façade Remodle			
16-0017	SAUL MADERA	1023 NORBOE AVE	12/15/2016	3 /3 /2017	AA16-03
		Used car dealer with office			
17-0002	PROLITE SIGNS	636 Dairy AVE		2 /15/2017	
		2 171" x 56" channel letter signs			