

CORCORAN PLANNING COMMISSION SPECIAL MEETING AGENDA

1015 Chittenden Avenue, Corcoran, CA 93212

**Monday, November 1, 2021
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. 2105.

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:	Karl Kassner
Vice-Chairman:	David Jarvis
Commissioner:	David Bega
Commissioner:	Karen Frey
Commissioner	Dennis Tristao
Commissioner:	Janet Watkins

FLAG SALUTE

Introduction of new City Community Development Employee, Delfina Lupian

1. PUBLIC DISCUSSION

2. APPROVAL OF MINUTES

2.1 Approval of minutes of the regular Planning Commission meetings on July 19, 2021. August 16, 2021 meeting cancelled due to lack of agenda items.

- B. Project Location & Description:** Proposed Daycare Center, located at 1001 Dairy Avenue.

SURROUNDING ZONING AND USES

<u>USE</u>	<u>ZONING</u>
NORTH: Single family Residence	R 1-6
SOUTH: Single family Residence	R 1-6
EAST: Single family Residence	R 1-6
WEST: Neighborhood Commercial	CN

ALL BUSINESS IN THE R 1-6 DISTRICT SHALL BE SUBJECT TO ALL STANDARDS THAT MAY BE REQUIRED

B. Other Comments:

If applicable, in the absence of any detail regarding potential development, the City Engineer noted that the city water and sewer service are located at some distance from the subject site and the extension thereto would be at developer's expense. The roads bordering the parcel would be required to be improved to City Standards. Storm drainage would be required to be contained onsite, if development sub-parcels are of sufficient size, or installation of a public storm drain system would be required. Lastly, pertinent impact fees would also be required.

C. Public Input:

A notice of public hearing was published in the Corcoran Journal. Additionally, letters were sent to property owners within a 300 foot radius of the site to notify them of the Conditional Use Permit. No comments have been received to date.

D. Comments from Other Agencies/Departments:

Referrals were made to City Departments and other agencies and comments have been incorporated in this report.

(No comments received)

CORCORAN PLANNING COMMISSION SPECIAL MEETING AGENDA

1015 Chittenden Avenue, Corcoran, CA 93212

**Monday, November 1, 2021
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. 2105.

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:	Karl Kassner
Vice-Chairman:	David Jarvis
Commissioner:	David Bega
Commissioner:	Karen Frey
Commissioner	Dennis Tristao
Commissioner:	Janet Watkins

FLAG SALUTE

Introduction of new City Community Development Employee, Delfina Lupian

1. PUBLIC DISCUSSION

2. APPROVAL OF MINUTES

2.1 Approval of minutes of the regular Planning Commission meetings on July 19, 2021. August 16, 2021 meeting cancelled due to lack of agenda items.

September 20, 2021 meeting cancelled, due to no quorum. October 18, 2021 meeting cancelled due to no quorum.

3. **RE-ORGANIZATION**

4. **PUBLIC HEARING**

4.1 Public Hearing to introduce and consider Resolution 2021-06 for Conditional Use Permit 21-02. Submitted by Gilberto Villasenor Rodriguez. To open a Day Care Business in an existing Building located at 1001 Dairy Avenue, Corcoran Ca 93212. APN: 030-231-014

5. **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 October 26, 2021.



Kevin J. Tromborg
Community Development Director

**MINUTES
CORCORAN PLANNING COMMISSION
REGULAR MEETING
Monday, July 19, 2021**

The regular session of the Corcoran Planning Commission was held 1015 Chittenden Avenue, Corcoran, CA 93212. The meeting was called to order by Chairperson, Kassner at 5:31 P.M.

ROLL CALL

Commissioners present: Bega, Frey, Kassner and Watkins

Tristao arrived at 5:35 pm

Commissioners absent: Jarvis

Staff present: Kevin J. Tromborg and Ma. Josephine Lindsey

Also present:

FLAG SALUTE

1. PUBLIC DISCUSSION

Tromborg introduced Greg Gatzka, City of Corcoran new City Manager. Mr. Gatzka was a former Community Development Director for the Kings County for 20 years.

2. APPROVAL OF MINUTES

Following Commission discussion, a **motion** was made by Watkins and seconded by Bega to approve the minutes of the regular meeting on June 21, 2021. Motion carried by the following vote:

AYES: Bega, Frey, Jarvis, Kassner, Tristao and Watkins

NOES:

ABSTAIN:

ABSENT: Jarvis

3. RE-ORGANIZATION – None

4. **PUBLIC HEARING** - None

5. **STAFF REPORTS**

5.1. City of Corcoran has received a State grant for Local Early Action Planning (LEAP) Grant. Projects include storm water plan and zoning code revision. Tromborg presented part three of proposed zone text revisions Chapter 11-8 and Table 11-8-1 Resource Conservation and Open Space (RCO) and Agriculture District Zone. At the end of the review, final summary of revisions will be presented through a public hearing and a resolution for decision of the Planning Commission and City Council.

6. **MATTERS FOR COMMISSION**

6.1. Information Item

Tromborg informed the Planning Commission of the resignation of Ms. Lindsey. Commission expressed their best wishes to Ms. Lindsey to her new endeavor.

6.2 Staff Referrals - *Items of Interest (Non-action items the Commission may wish to discuss)*

6.3 Committee/Seminar Reports - None

7. **ADJOURNMENT**

At 6:36 p.m., the meeting was adjourned to the next regular meeting on Monday, August 16, 2021 in the Corcoran City Council Chambers 1015 Chittenden Avenue, Corcoran, CA 93212.

APPROVED ON: _____

Karl Kassner, Planning Commission Chairperson

ATTEST:

Kevin J. Tromborg, Community Development Director

Chairperson

Karl Kassner

Vice-Chairperson

David Jarvis

Commissioners

David Bega
Dennis Tristao
Janet Watkins

Karen Frey

Planning Commission



**Community
Development
Department**

(559) 992-2151-2110

FAX (559) 992-2348

832 Whitley Avenue, Corcoran
CALIFORNIA 93212

STAFF REPORT

Item # 4.1

To: Planning Commission

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

Date: November 1, 2021

Subject: Conditional Use Permit 21-02, submitted by Gilberto Villasenor Rodriguez to open Day Care Business in an existing building located at 1001 Dairy Avenue, Corcoran, CA 93212 with APN # 030-231-014.

A. General Information: Gilberto Villasenor Rodriguez has submitted an application for Conditional Use Permit regarding a daycare center to be located at 1001 Dairy Avenue.

1.	Owner:	Gilberto Villasenor Rodriguez
2.	Applicant:	Gilberto Villasenor Rodriguez
3.	Site Location:	1001 Dairy Avenue
4.	Property Description:	030-231-014
5.	Site Area:	15,436 SQ. FT.
6.	General Plan Designation:	Low Density
7.	Current Zone Classification:	R1-6
8.	Existing Use:	Church
9.	Proposed Use:	

- B. Project Location & Description:** Proposed Daycare Center, located at 1001 Dairy Avenue.

SURROUNDING ZONING AND USES

<u>USE</u>	<u>ZONING</u>
NORTH: Single family Residence	R 1-6
SOUTH: Single family Residence	R 1-6
EAST: Single family Residence	R 1-6
WEST: Neighborhood Commercial	CN

ALL BUSINESS IN THE R 1-6 DISTRICT SHALL BE SUBJECT TO ALL STANDARDS THAT MAY BE REQUIRED

B. Other Comments:

If applicable, in the absence of any detail regarding potential development, the City Engineer noted that the city water and sewer service are located at some distance from the subject site and the extension thereto would be at developer's expense. The roads bordering the parcel would be required to be improved to City Standards. Storm drainage would be required to be contained onsite, if development sub-parcels are of sufficient size, or installation of a public storm drain system would be required. Lastly, pertinent impact fees would also be required.

C. Public Input:

A notice of public hearing was published in the Corcoran Journal. Additionally, letters were sent to property owners within a 300 foot radius of the site to notify them of the Conditional Use Permit. No comments have been received to date.

D. Comments from Other Agencies/Departments:

Referrals were made to City Departments and other agencies and comments have been incorporated in this report.

(No comments received)

E. Environmental Impact Assessment and compliance with CEQA

According to article 19 categorical exemptions section 15301 existing, facilities this project is exempt from CEQA review.

F. Recommendation:

Staff recommends that the staff report be given, public hearing be opened, testimony taken, and the Planning Commission take action based on the following findings and on the attached Resolution 2021-06.

J. CONDITIONAL USE PERMIT FINDINGS

The following findings are proposed:

- (A) The project is exempt from CEQA. (Section 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 the Corcoran Municipal Code, Ordinances, Standards or State and Federal Codes of regulations to adjust said use with land and use in the designated zone or 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 propose use will have no adverse effects upon adjoining or other properties in the vicinity. In making this determination, the Commission or Council shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal Circulation, external circulation, setbacks; heights of buildings or structures; wall or fences; landscaping; outdoor lighting; signs; and any other characteristics that will affect the property or properties in the vicinity.
- (E) That the proposed use is consistent with the objectives and policies of the Corcoran General Plan, or any specific plans, or planned development approved by the City.
- (F) That the proposed site for development has adequate public services, or will be provided with adequate public services to accommodate proposed land use.

CONDITIONAL USE PERMIT-ACTION BY THE PLANNING COMMISSION (from Zoning Ordinance Section 11-23-4)

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.

CONDITIONAL USE PERMIT-APPEAL TO THE CITY COUNCIL (Section 11-27)

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 11-27. 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 11-27.

The decision of the City Council shall be final, and shall have immediate effect. 11-27 (G) 1

TIME LIMIT FOR DEVELOPMENT-RENEWAL RESTRICTIONS (Zoning Ordinance Section 11-25-5)

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 11-25-5, 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

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.

REVOCAION 11-25-6

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. 2021-06
PERTAINING TO
CONDITIONAL USE PERMIT 21-02**

At a meeting of the Planning Commission of the City of Corcoran duly called and held on October 18, 2021, the Commission approved the following:

Whereas, Gilberto Villasenor Rodriguez, submitted an application requesting approval for a daycare business located at 1101 Dairy Avenue; and

Whereas, this Commission considered the staff report on November 1, 2021; and

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

- (A) The business is an existing building and is categorically exempt under CEQA 15301 as an existing facility.
- (B) 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;
- (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 effect 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; heights of buildings; walls and fences; landscaping; outdoor lighting; signs; and such other characteristics as will affect surrounding property and;
- (E) 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 and;
- (F) That the property owner complies with all rules and regulations regarding the California Building Code as it pertains to permitting and inspections, the City of Corcoran Municipal Code and all relevant state and federal regulations pertaining to daycare centers and;
- (G) That the property/business owner complies with all regulations and permitting pertaining to signage and;
- (H) That the property owner/business owner provide detailed site plan regarding outdoor recreation activities and landscaping.

IT IS THEREFORE RESOLVED that Conditional Use Permit 21-02 should be approved with the Conditions listed in the resolution.

AYES:

NOES:

ABSENT:

ABSTAIN:

Adopted this 1st, day of November, 2021

Planning Commission Chairman

Community Development Director

CERTIFICATE

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

I, Delfina Lupian, Planning Commission Secretary of the City of Corcoran, hereby certify that this is a full, true and correct copy of Resolution No. 2021-06 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 1st day of November, 2021, by the vote as set forth therein.

DATED: November 1, 2021

Delfina Lupian
Planning Commission Secretary

ATTEST:

Marlene Spain, City Clerk