

**CITY COUNCIL AGENDA
SPECIAL MEETING
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CA 93257
AND
1155 KELVIN ROAD
EL SOBRANTE, CA 94803
APRIL 23, 2013, 5:30 P.M.**

Call to Order
Roll Call

ORAL COMMUNICATIONS

This is the opportunity to address the Council on any matter of interest, whether on the agenda or not. Please address all items not scheduled for public hearing at this time. Unless additional time is authorized by the Council, all commentary shall be limited to three minutes.

SCHEDULED MATTERS

1. Request for Temporary Certificate of Occupancy for Conditional Use Permit 8-82, Modification 2
Re: Consideration of request for a Temporary Certificate of Occupancy pending the finalization of requirements pursuant to CUP 8-82, Modification 2, for the project located at 815 E. Putnam Avenue.

ORAL COMMUNICATIONS

OTHER MATTERS

ADJOURNMENT - to the meeting of May 7, 2013.

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the Office of City Clerk at (559) 782-7464. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the agenda packet.

Materials related to an item on this Agenda submitted to the City Council after distribution of the Agenda packet are available for public inspection during normal business hours at the Office of City Clerk, 291 North Main Street, Porterville, CA 93257, and on the City's website at www.ci.porterville.ca.us.

CITY COUNCIL AGENDA: APRIL 23, 2013

SCHEDULED MATTER

SUBJECT: REQUEST FOR TEMPORARY CERTIFICATE OF OCCUPANCY FOR
CONDITIONAL USE PERMIT 8-82, MODIFICATION 2

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION

COMMENTS: On March 19, 2013, the City Council approved a modification to Conditional Use Permit 8-82 to address revisions made to the project following City Council approval. The approved modification addressed the following remaining issues:

1. Screening roof mounted mechanical equipment - Complete
2. Installing protective bollards in front of the gas meter - Complete
3. Making aesthetic enhancements to the exterior building elevations – Paint color match needed.
4. Installing a street light per City standards - Incomplete

As of the date of this report the first two items on the list are complete. The third item relates to the discoloration of the new stucco associated with the new work and the developer is working on correcting the issue. The remaining outstanding issue is the installation of the street light. While the developer acknowledges the requirement to install the light prior to the City's issuance of a Certificate of Occupancy (CO), there is a long lead time (approximately 3 – 4 months) for Southern California Edison (SCE) to install the light. Edison has informed staff that they can only support the placement of the concrete marblelite street light on the south side of Putnam Avenue. An easement through the restaurant parking lot will be required.

In light of the projected timeline, the developer is seeking approval of a Temporary Certificate of Occupancy (TCO) that would allow the business to open and operate pending the installation of the street light. Staff has been working with the developer to complete all outstanding requirements of the project enumerated above, which can be completed quickly to facilitate a store opening. If the Council authorizes issuance of a TCO, appropriate guarantees should be required to ensure the street light gets installed. This would preferably be in the form of a cash deposit, adequate in value for the City to commission the work in the event the effort stalled.

Edison has not prepared the easement for the developer's execution as of this writing and is not ready to issue a formal invoice for their fees estimated at \$5,050. Edison allowed the developer to provide them with a \$5,050 cash deposit for the preparation of the easement and installation of the street light. The City's estimate to install the conduit from the transformer to the south side of Putnam Avenue is estimated at \$5,000, which would only be used in the event the City

needs to enter and perform the work. Otherwise, it will be returned to the developer upon completion of the project. Posting a cash deposit with the City to hold until such time as the work is completed could facilitate the issuance of a TCO.

RECOMMENDATION: Provide direction to Staff

ATTACHMENTS: Current photos of the project



Photo 1

North side of building

Representative of façade improvements and bollards

**ATTACHMENT
ITEM NO. 1**



Photo 2

North and West sides of building



Photo 3

View from Putnam Avenue

Representing site of proposed street light
(where temporary sign is currently located)