CORCORAN PLANNING COMMISSION MEETING AGENDA

Monday June 17, 2024 5:30 P.M.

Council Chambers I, 1015 Chittenden Avenue

<u>Public Inspection:</u> A detailed Planning Commission packet is available for review at <u>Corcoran</u> 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. 2501.

<u>Public Comment:</u> 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. The 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, the 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:

Kaitlyn Frazier

Commissioner:

Janet Watkins

Commissioner:

Karen Frey David Bega

FLAG SALUTE

- 1. PUBLIC DISCUSSION
- 2. APPROVAL OF MINUTES

Approve the minutes of May 20, 2024, Planning Commission Meeting. VV

- 3. <u>RE-ORGANIZATION</u> Planning Commission re-organization. None
- 4. PRESENTATIONS None

5. PUBLIC HEARING

- 5.1 Conditional Use Permit 23-04 and Variance 23-01.
 Permit to sell Alcohol in Restaurant and Restaurant Bar, located at 1130 Van Dorsten Avenue. (VV) (Tromborg)
- A. Open Public Hearing.
- B. Presentation of Staff Report.
- C. Accept written testimony.
- D. Accept oral testimony.
- E. Close Public hearing
- F. Planning Commission discussion.
- G. By motion, approve/approve with revisions/deny recommendations.

6. STAFF REPORTS None

7. <u>MATTERS FOR PLANNING COMMISSION</u>

- 7.1 Information Item:
 - A. Sea Trains (Tromborg)
 - B. Pot Belly Pigs/ Domestic Animal List (Tromborg)
- 7.2 Staff Referrals- Item of Interest (Non-action items the Commission may wish to discuss)
- 7.3 Committee/Seminar Reports:

8. ADJOURNMENT

Next scheduled Planning Commission Meeting (July 15, 2024)

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 June 13, 2024.

Kevin J. Tromborg

Community Development Director

MINUTES CORCORAN PLANNING COMMISSION MEETING Monday, June 17, 2024

CALL TO ORDER: The regular session of the Corcoran Planning Commission was held 1015 Chittenden Avenue, Corcoran, CA 93212. The meeting was called to order by Commissioner Vice-Chairperson, Kaitlyn Frazier at 5:35 P.M.

ROLL CALL

COMMISSSIONERS PRESENT:

Kaitlyn Frazier, Janet Watkins, Karen Frey, David Bega

None

COMMISSIONERS ABSENT:

Karl Kassner

STAFF PRESENT:

Kevin J. Tromborg, Joanna Castro

LEGAL STAFF PRESENT:

Moses Diaz, City Attorney

VISITORS PRESENT:

None

FLAG SALUTE

Kaitlyn

1. PUBLIC DISCUSSION: UNSCHEDULED APPEARANCES

APPROVAL OF MINUTES: Following Commission discussion, a motion was made by Commissioner Frey
and seconded by Commissioner Bega to approve the minutes of the regular meeting on March 18, 2024.
Motion carried by the following vote:

AYES:

Commissioners: Frey, Bega, Watkins, Frazier

NOES:

Commissioners: None

ABSTAIN:

Commissioners: None

ABSENT:

Commissioners: Kassner

3. RE-ORGANIZATION - None

4. OLD BUSINESS: This is a time for Commissioners to bring up any items from past meeting

5. PUBLIC HEARING

5.1 Tentative Parcel Map 23-04 and Variance 23-01.

To divide one (1) lot into three (3) lots. Lot one (1) and Two (2) will be less than the required minimum of sixty (60) feet which requires a Variance. (VV) (Tromborg)

Following Commission discussion, a motion was made by Bega, and seconded by Fraizer to approve the Tentative Parcel Map 23-04 and Variance 23-01, Resolution No. 2024-04 regarding a lot division to divide one (1) lot into three (3) parcels, in a R-1-6 Single Family Zone. Property is located at 2137 Dairy Ave, Corcoran, CA 93212 with APN: 032-150-043. Motion carried by the following vote:

- No public comments
- No written testimony

AYES:

Commissioners: Bega, Frey, Watkins, Frazier

NOES:

Commissioners: None Commissioners: None

ABSTAIN: ABSENT:

Commissioners: Kassner

6. STAFF REPORTS: None

6. MATTERS FOR PLANNING COMMISSION

- **6.1. INFORMATION ITEMS:** None
- **6.2 STAFF REFERRAL ITEMS:** Items of Interest (Non-action items the Commission may wish to discuss) None
- 6.3 COMMITTEE/SEMINAR REPORTS: None
- 6.4 FUTURE MEETINGS:

7 ADJOURNMENT: At 5:58 P.M. the meeting was adjourned to the next regular meeting on Monday, June 17, 2024, in the Corcoran City Council Chambers 1015 Chittenden Avenue, Corcoran, CA 93212.

APPROVED ON: June 17, 2024

Karl Kassner, Planning Commission Chairperson

ATTEST:

Kevin J. Tromborg, Community Development Director

Hand go (munkay)

<u>Chairperson</u> Karl Kassner Planning Commission

<u>Vice-Chairperson</u> Kaitlyn Frazier O PCDEAC

Community Development Department

832 Whitley Avenue, Corcoran

(559) 992-2151 FAX (559) 992-2348

Planning
Commission
Executive Secretary
Kevin J. Tromborg

Commissioners

David Bega Janet Watkins Karen Frey

STAFF REPORT

CALIFORNIA 93212

Item # 5.1

To:

Planning Commission

From:

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

Date:

June 17, 2024

General Information: Conditional Use Permit 23-05, Resolution 2024-05: Regarding an application for a type 47 alcohol License to sell alcohol on site. Beer, Wine and full bar. The applicant proposes to sell on site alcohol (Beer and Wine and Full Bar) in conjunction with the proposed restaurant. The restaurant/Bar will be located at 1130 Van Dorsten Avenue, Corcoran, CA 93212. The applicant is in the process of applying to the Department of Alcoholic Beverages Control (ABC) for an on-site sale license type 47. According to ABC, there are four (4) off sale licenses and one (1) on-site license in census tract 0014.02 adding a fifth off site license creates an over concentration of licenses. In an area of over concentration, a letter of convenience and necessity is required from the City Council before the office of Alcoholic Beverages Control will approve the license.

1.	Owner and Address:	Gurmohan Sidhu 2319 Stephen Roberts Ln Manteca, Ca 95337	
2.	Applicant and Address:	Gurmohan Sidhu 1130 Van Dorsten Avenue Corcoran, Ca 93212	
3.	Site Location:	1130 Van Dorsten Avenue Corcoran, Ca 93212	

4.	Property Description:	Vacant building	
5.	Site Area:	N/A	
6.	General Plan Designation:	Commercial	
7.	Current Zone Classification:	CD: Downtown Commercial	
8.	Existing Use:	Previous: Laundromat/Storage	
9.	Proposed Use:	Restaurant with Bar	

A. **Project Location & Description**: 1130 VanDorsten

SURROUNDING ZONING AND USES

<u>USE</u> <u>ZONING</u>

NORTH: Commercial Retail CD: Downtown Commercial

SOUTH: Duplex Housing RM-2: Multi Family

EAST: Apartment RM-2: Multi Family

WEST: Commercial Retail CD: Downtown Commercial

ALL BUSINESS IN THE (CD) DOWNTOWN COMMERCIAL
ZONE DISTRICT SHALL BE SUBJECT TO ALL STANDARDS THAT MAY BE
REQUIRED

C. <u>Compliance with General Plan and Zoning</u>: A Restaurant Bar is an allowable use for the CD Downtown Commercial zone.

E. Public Input:

A memorandum for comments was sent to all appropriate City Departments and outside State and County agencies, and to the property owners within the required 300 Ft. radius of the proposed project on May 7, 2024. Additionally, a notice of public hearing was published in the Corcoran Journal on May 30, 2024, and posted at the front Counter and front door of City Hall and outside the Corcoran Council Chambers.

F. Comments from Other Agencies/Departments:

Referrals for comments that were made to City Departments and other agencies have been incorporated in this report in the form of comments or findings.

G. Environmental Impact Assessment and compliance with CEQA

The proposed use is not subject to California Environmental Quality Act (CEQA) based on Categorical Exemption 15300.1 Ministerial projects. And 15301, Class 1, Existing Facilities.

Recommendation:

After the staff report is given and oral and written testimony considered, after the Planning Commission discussion, staff's recommendation to the Planning Commission is that the proposed project, CUP 23-05 and resolution 2024-05 be approved with the listed findings and requirements

J. <u>CONDITIONAL USE PERMIT FINDINGS AND REQRIMENTS</u>

The following findings are proposed:

- (A) The project is exempt under CEQA (15300.1 ministerial) and 15301 Class 1, Existing Facilities
- (B) That all agencies and departments that have authority or interest in the project were notified
- (C) That a Public Hearing notice was published in the Corcoran Journal with today's date and time regarding this proposed CUP.
- (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 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.
- (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 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.
- (G) 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.
- (H) That the proposed site for development has adequate public services, or will be provided with adequate public services to accommodate proposed land use.

- (I) There is an over concentration of alcohol beverage licenses in the area as identified by the Office of Alcohol Beverage Control.
- (J) A letter of convenience and necessity will be required from the City Council if the Planning Commission approves the CUP.
- (K) That all the requirements on the attached letter from The Kings County Fire Department be complied with.
- (L) That all the requirements listed in the e-mail from Kings County Environmental Health be complied with.

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 for the public hearing and shall post notices as set forth 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 makes 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.

REVOCATION 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. 2024-05 PERTAINING TO CONDITIONAL USE PERMIT 23-05

At a meeting of the Planning Commission of the City of Corcoran duly called and held on, June 17, 2024, the Commission approved the following:

Whereas, Gurmohan Sidhu, submitted an application requesting approval for a Conditional Use Permit to sell alcohol/liquor for a existing business located at 1130 Van Dorsten Avenue, Corcoran, CA 93212; and

Whereas, this Commission considered the staff report on June 17, 2024; and

Whereas, the Alcohol Beverage Control Department (ABC) has determined that there is an over concentration of off-site and on-site licenses in the 0014-02 census tract area; and

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

- (A) The project is / is not exempt is exempt under CEQA (15300.1 ministerial) and 15301 Class 1 Existing building.
- (B) There is an over concentration of alcohol beverage licenses in the area as identified by the Office of Alcohol Beverage Control
- (C) A letter of convenience and necessity will be required from the City Council if the Planning Commission approves the CUP
- (D) That all agencies and departments that have authority or interest in the project were notified
- (E) That a Public Hearing notice was published in the Corcoran Journal with today's date and time regarding this proposed CUP.
- (F) 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.
- (G) 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.

- (H) That the proposed 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.
- (I) 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.
- (J) That all requirements from the Kings County Fire Department be complied with.
- (K) That all the requirements from Kings County Environmental Health be complied with.

IT IS THEREFORE RESOLVED that Conditional Use Permit 23-05 should be approved with the Conditions stated in the Staff Report and Resolution 2024-015

AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
Adopted this 17th day of June, 2024	
Planning Commission Chairman	
Community Development Director	• •
City of Corcoran }	CERTIFICATE
County of Kings } ss. State of California }	

I, Joanna Castro, Planning Commission Secretary of the City of Corcoran, hereby certify that this is a full, true, and correct copy of Resolution No.2024-05 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 17th day of June 2024, by the vote as set forth therein.

DATED: June 17, 2024

Joanna Castro Planning Commission Secretary	<u> </u>
ATTEST:	
Marlene Spain, City Clerk	

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KINGS COUNTY FIRE DEPARTMENT Community Risk Reduction Bureau

Education-Engineering-Enforcement

Fire Chief Salvador Flores Battalion Chief Blake Adney, Fire Marshal



FIRE DEPARTMENT COMMENT SHEET

	Project Name: Sidhu Restaurant and Bar Project Number: Conditional Use Permit No. 23-05 Address: 1130 Van Dorsten Corcoran CA
	The Fire Department requires a supply of firefighting water available in a storage tank on the site. The amount of water required will be in accordance with NFPA 1142, and is dependent on building volume, construction type, and exact use.
	See Attachment for instructions on storage tank fire suppression requirements.
	See Attachment for instructions on swimming pool fire suppression requirements.
	Spacing for fire hydrants shall be no more than 500 feet.
\checkmark	No structure shall be more than 500 feet from a fire hydrant.
	Fire hydrants shall have two, two and one half inch outlets and one four and one half inch outlet. Outlets shall be equipped with national hose standard thread. All outlets shall be provided with caps to prevent debris from accumulating within the hydrant.
	Fire hydrants shall have a minimum of 36 inches of clear space around the hydrant and shall be a minimum of 6 inches above grade.
	Fire hydrants or water tank, and roads of an all weather surface capable of supporting heavy fire apparatus, shall be in place before combustible construction materials begin to accumulate.
	All weather access roads capable of supporting heavy fire apparatus, of not less than twenty feet width and thirteen feet six inches of vertical clearance, must be provided. Roads must comply with the Californi Fire Code.
✓	A 2A 10BC fire extinguisher is required to be located in plain sight not more than 75 feet from any point in the structure. The location of fire extinguishers must be easily accessible, be easily visible, and be near entrances or exit doors. All extinguishers shall be mounted to walls or columns with securely fastened hangers so that the weight of the extinguisher is adequately supported, and at a height compliant with the California Fire Code. Additional extinguishers may be required based upon special hazards or conditions.
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\checkmark	Employees should be familiar with the use of fire safety equipment.		
	A set of building plans must be reviewed by the Kings County Fire Department.		
	The plot plan is inadequate to make a determination and the applicant should meet with the Kings County Fire Department for further information.		
√	The fire protection system, if provided, must be up to date on required inspections and tests and be approved by the Kings County Fire Department.		
√	All plans shall comply with the California Fire Code and all regulations of the Kings County Fire Department.		
	Building must meet CFC requirements for emergency responder radio coverage. (CFC 510.1)		
√	Property must be equipped with a Knox Box for Fire Department access.		
	Adjustment shall not interfere with fire department access. No structure or future structure shall be farther than 150 feet from fire apparatus access. Access roads and adequate turnaround provisions shall be provided if fire apparatus access distance is exceeded.		
\checkmark	Address identification required per Section 505.1 of the CFC.		
	Any future development must comply with applicable Fire Code, including rural firefighting water supply requirements.		
	Other specifically:		
	Blake Adney Battalion Chief/Fire Marshal Name Title		
	05/23/2024		
•	Date		

Kevin Tromborg

From:

Patel, Yatee <Yatee.Patel@co.kings.ca.us>

Sent:

Thursday, May 16, 2024 8:28 AM

To:

Kevin Tromborg

Subject:

Conditional Use Permit 23-05, Submitted by Gurmohan Sidhu

Importance:

High

Kevin,

In reference to the Conditional Use Permit 23-05 that proposes to sell alcohol at his restaurant, our department would like to offer the following comments:

Three sets of construction plans for the kitchen facility must be submitted to Kings County Environmental Health Services for review and approval <u>prior to beginning construction</u>. The plans must include sufficient information and detail to ensure the facility will comply with the California Retail Food Code. The plan submittal must include floor, plumbing, lighting, food equipment, and mechanical ventilation schedules of the kitchen, restroom, and food storage areas, as applicable. A plan check application must accompany the plan submittal. The application form can be obtained by contacting KCEHS at 559-584-1411 or at: http://www.countyofkings.com/health/ehs/. A plan check guidance document is also available at that site.

Thank you for the opportunity to review this initial plan, and please don't hesitate to reach out to me if you have any questions.

Thank you,

Yatee

Yatee Patel, MPH, REHS

Environmental Health Officer Kings County Department of Public Health 330 Campus Dr. Hanford, CA 93230

Phone: (559)584-1411 Fax: (559)584-6040

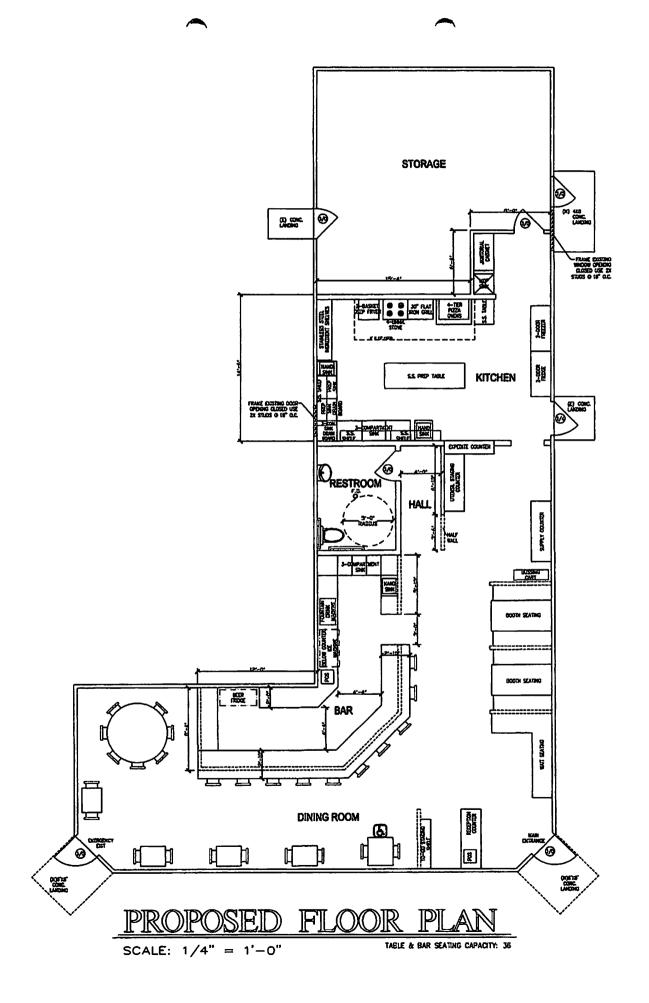
Email: Yatee.Patel@co.kings.ca.us
Website: www.countyofkings.com/ehs



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PARKING ANALYSIS CURRENT NUMBER OF PARKING SPOTS AUTOMOBILE SPACES - 5 .21.76.150 ONE SPACE FOR 300 SQ.P. PROPOSED BY RETAIL SPACE 1,450 SQ ? TOTAL - 5 SPACES TOTAL SPACES REQUIRED - 5 SPACES VAN DORSTEN AVE (E) BUILDING AREA = 6 PARKING PROPERTY LINE ALLEY





APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

TO: Department of Alcoholic Beverage Control

1330 B EAST SHAW AVE FRESNO, CA 93710-7902

(559) 225-6334

File Number: 641893

Receipt Number: 2752081, 2774253

Geographical Code: 1601

Copies Mailed Date: 1-30-33 Issued Date: 24044

DISTRICT SERVING LOCATION: **FRESNO**

First Owner:

SIDHU, GURMOHAN SINGH

Name of Business:

Location of Business:

1130 VAN DORSTEN AVE

CORCORAN, CA 93212-2525

County:

KINGS

Is Premises inside city limits?

Yes

Census Tract:

0014.02

Mailing Address:(If different

from

2319 STEPHEN ROBERT LN

MANTECA, CA 95337-7850

premises address)

Type of license(s):

47

Dropping Partner: Yes

Transferor's license/name:

<u>License Type</u> 47 - On-Sale General Eating Place	Transaction Type ORI	<u>Master</u> Y	Secondary LT And Count			
License Type Application Fee 47 - On-Sale General Eating Place	Transaction Description ADD PRIMARY LICENSE TYPE ANNUAL FEE	Fee Code NA P20	<u>Dup</u> 0 0	<u>Date</u> 09/29/22 01/12/23	<u>Fee</u> \$16,560.00 \$1,100.00	
				Total	\$17,660.00	

Have you ever been convicted of a felony? No

Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the

Department pertaining to the Act? No

STATE OF CALIFORNIA

County of KINGS

Date: September 29, 2022

Applicant Name(s)

SIDHU, GURMOHAN SINGH