

CORCORAN PLANNING COMMISSION MEETING AGENDA

1015 Chittenden Avenue, Corcoran, CA 93212

**Monday, December 6, 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

- PUBLIC DISCUSSION**
- APPROVAL OF MINUTES**

2.1 Approval of minutes of the regular Planning Commission meetings on November 1, 2021 by chairman Karl Kassner.

3. **RE-ORGANIZATION**

4. **PUBLIC HEARING**

4.1 Public Hearing to introduce and consider Conditional Use Permit 21-04. Submitted by Alan Mok of Alan Mok Engineering in conjunction with property owner Hardeep Sidhu regarding Conditional Use Permit for gas station with convenience market to be located at APN no. 034-320-006, North East corner of Orange and 5 ½ Avenue adjacent with Highway 43.

5. **STAFF REPORTS**

6. **MATTERS FOR PLANNING COMMISSION**

6.1 Information Item: Lot Line Adjustment (LLA) 21-01, submitted by Four Creeks Inc. in conjunction with property owner D.R Horton CA3, Inc. regarding a Lot Line Adjustment for Subdivision Tract 880 (Fox Run) to be located at North East corner of Patterson Avenue and James Avenue

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

6.3 Committee/Seminar Reports -

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 October 26, 2021.



Kevin J. Tromborg
Community Development Director

**MINUTES
CORCORAN PLANNING COMMISSION
SPECIAL MEETING
NOVEMBER 15, 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 5:30 P.M.

ROLL CALL

Commissioners present: Bega, Frey, Kassner, Tristao and Watkins

Commissioners absent: Jarvis

Staff present: Kevin J. Tromborg and Delfina Lupian

Also present:

FLAG SALUTE

1. **PUBLIC DISCUSSION** None

2. **APPROVAL OF MINUTES**

Following Commission discussion, a **motion** was made by Kassner and seconded by Bega to approve the minutes of the regular meeting on November 1, 2021. Motion carried by the following vote:

AYES: Bega, Frey, Kassner, Tristao and Watkins

NOES:

ABSTAIN:

ABSENT: Jarvis

3. **RE-ORGANIZATION** – Tromborg introduced new city attorney Moses Diaz.

4. **PUBLIC HEARING** - Conditional Use Permit 21-03, submitted by Andy Patel to install a Commercial Sea Train n his property for storage concerning Corcoran Country Inn. Located

at 2111 Whitley Ave. Corcoran CA 93212 with APN #034-150-043. Tromborg suggested a 5 year time limit for permit, Frey asked why a 5 years. Tromborg then explained to Frey that time limit is up to Planning Commission's discretion to set time frame for permit. Bega asked if sea train would be visible to public, Tromborg explained that sea train would be out of sight and also asked Mr. Patel to paint train to match building. Tristao asked Mr. Patel how long he would want permit, Mr. Patel asked he did not want a time limit. Bega inquired why Patel had concerns regarding time limit if it would only be used for storage, Patel stated that he did not want a time limit due to constant inventory. Kassner asked Mr. Patel if he would be purchasing sea train, Mr. Patel answered yes. Bega stated time limit should be proposed, Tristao proposed 20 year limit. Bega second. Motion passed for CUP 21-03

5. STAFF REPORTS

5.1. Tromborg discussed Zoning Changes. Tristao asked if there would be a cost, Tromborg responded there would only be a fee for a subdivisions. Tromborg does not agree with residential massage parlors, due to past issues. City attorney stated that if the city had regulations, we can do random inspections, also to bring to bring to City Council and have the final say. Tromborg stated that the ordinance has to be adopted. Frey stated that if Planning Commission approves for new zoning, City Council still has to pass ordinance. City attorney let Planning Commission to research and pass the information to City Council and then City Council passes or denies. Watkins asked if residents apply for massage parlor business licenses, Tromborg stated no.

5.2 Planning Commission also discussed proposed additions to street name list. Bega suggested to add Panther Ave, and Cotton St. Kassner suggested to add more agricultural names to the list. Frey asked how to add more names to the list, Tromborg stated to just make suggestions. Tristao stated that developers pick their own names that go with themes of the new homes. Planning Commission moves to table the list so Planning Commission members can add names to list and send list to Tromborg. City attorney asked Tromborg to explain process of new street names with pre-existing street names. Motion approved.

5.3 Tromborg also discussed Community Development second quarter stated that 2021 has been a great year and expects 2022 to great as well due to new subdivisions. Solar permits discussed by Tromborg. Stating that there is 3 times more permits in one quarter than last year. Tromborg also stated that regarding vehicle abatement, Corcoran went over allotment. Tristao asked about valuation, Tromborg stated that valuation has not gone up since cost of building has gone up. Tristao also asked about valuation for the entire year, Tromborg stated that valuation would be sent via email. Tromborg also informed Planning Commission that Data Ticket collects monies and then pays the City and they keep any additional fees accrued and that is how they get paid. Janet asked if water usage is used to cannabis grow bust, Tromborg stated yes. Frey also asked if there is limit of citations before the law gets

involves, Tromborg explained that person has 30 days to fix and after 30 days, another citation is given.

6. MATTERS FOR COMMISSION

- 6.1. Information Item: Becoming an Effective Planning Commissioner. Tromborg briefly discussed.
- 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 6:48 p.m., the meeting was adjourned to the next regular meeting on Monday, November 15, 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



832 Whitley Avenue, Corcoran
CALIFORNIA 93212

**Community
Development
Department**

(559) 992-2151-2110
FAX (559) 992-2348

**STAFF REPORT
PUBLIC HEARING**

Item # 4.1

To: Planning Commission

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

Date: December 6, 2021

Subject: Conditional Use Permit 21-04 submitted by Alan Mok of Alan Mok Engineering in conjunction with property owner Hardeep Sidhu regarding Conditional Use Permit for a proposed Gas station, convenience market and restaurant to be located at APN: 034-320-006. North East Corner of Orange Avenue and 5 ½ Avenue adjacent to Highway 43 Corcoran Ca 93212.

- A. **General Information:** Mr. Hardeep Sidhu, owner of the property is proposing a fueling station with a convenience market and restaurant that will also cater to a large trucking business on Highway 43. The project will incorporate large truck parking and showers

1.	Owner:	Hardeep Sidhu
2.	Applicant:	Alan Mok Engineering
3.	Site Location:	No address assigned
4.	Property Description:	APN: 034-320-006
5.	Site Area:	4.22 Acres
6.	General Plan Designation:	Service Commercial
7.	Current Zone Classification:	CH: Highway Commercial

8.	Existing Use:	Vacant land
9.	Proposed Use:	Fueling Station, convenience Market, Restaurant.

A.1 Discussion: Mr. Sidhu applied several months ago for Site Plan Review regarding the proposed fueling station project. (SPR 21-01 (see attached site plan) Staff has been working with Mr. Sidhu and Alan Mok Engineering through these early stages of the planning process. State and Local regulation as well as Financing policies require all fueling stations apply for and acquire an approved Conditional Use Permit. The CUP is one step of SPR as well as the Initial Study regarding the environmental issues and a Traffic Study, all been initiated through Site Plan Review must be completed before the construction phase can commence. The Conditional Use Permit is also a requirement for financing the project.

A.2 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

A.3 Public Input:

A notice of public hearing was published in the Corcoran Journal. Additionally, letters were sent to property owners within a 400 foot radius of the site to notify them of the proposed project. No comments have been received to date.

A.4 Attachments

- 1.Site plan
- 2.Resolution

B. SURROUNDING ZONING AND USES

<u>USE</u>	<u>ZONING</u>
NORTH: HWY 43 and County	N/A
SOUTH: IH: Heavy Industrial	IH
EAST: HWY 43 and County	N/A
WEST: CH: Highway Commercial	CH

ALL BUSINESS IN THE CH DISTRICT SHALL BE SUBJECT TO ALL STANDARDS THAT MAY BE REQUIRED

A. Comments:

If applicable, in the absence of any detail regarding development, the City notes that city water and sewer service may be located at some distance from the subject site and the extension thereto would be at developer's expense. The roads bordering the parcel may be required to be improved to City Standards. Storm drainage would be required to be contained onsite unless otherwise approved by the City.

B. Comments from Other Agencies/Departments:

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

C. Environmental Impact Assessment and compliance with CEQA

An Initial Study has been initiated regarding the project and will be incorporated in the final approval of Site Plan Review.

D. CONDITIONAL USE PERMIT FINDINGS

The following findings are proposed:

- (A) The project requires an Initial Study to determine the Environmental process.
- (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) *(This will be reported to the Planning Commission and Council after Site Plan and all Environmental requirements have been finished).* 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 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 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. 2021-07
PERTAINING TO
CONDITIONAL USE PERMIT 21-04**

At a meeting of the Planning Commission of the City of Corcoran duly called and held on December 6, 2021, the Commission approved the following:

Whereas, Alan Mok Engineering and Hardeep Sidhu (owner), submitted an application requesting approval for a Conditional Use Permit for a proposed Fueling Station and Convenience market located at North East corner of Orange Avenue and 5 ½ Avenue; and

Whereas, this Commission considered the staff report on December 6, 2021; and

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

- (A) The Proposed business is on vacant land requires an Initial Study to determine the extent of the CEQA: and
- (B) That an Initial study to determine CEQA requirements has been initiated.
- (C) 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;
- (D) That a Traffic study will be initiated to determine 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;
- (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;

IT IS THEREFORE RESOLVED that Conditional Use Permit 21-04 should be approved with the Conditions listed in resolution 21-07.

AYES:

NOES:

ABSENT:

ABSTAIN:

Adopted this 6th, day of December, 2021

Planning Commission Chairman

Community Development Director

CERTIFICATE

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

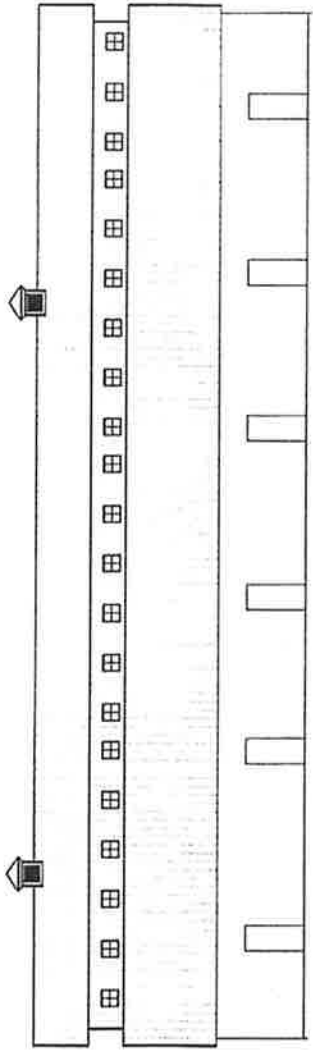
I, Delfina Lupian, Planning Commission Secretary of the City of Corcoran, hereby certify that this is a full, true and correct copy of Resolution No. 2021-07 duly passed by the Planning Commission of the City of Corcoran at a regular meeting thereof held on the 6th day of December, 2021, by the vote as set forth therein.

DATED: December 6, 2021

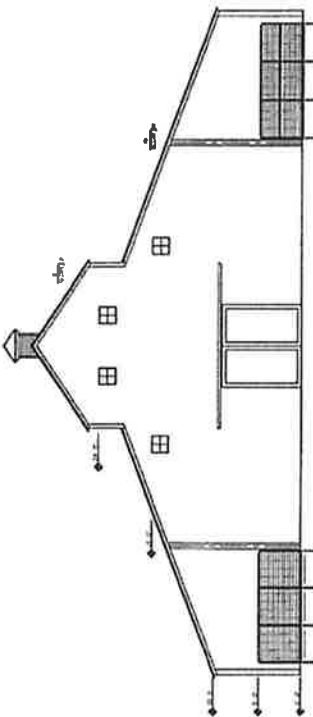
Delfina Lupian
Planning Commission Secretary

ATTEST:

Marlene Spain, City Clerk



SIDE ELEVATION
SHEET 1001.1.7



FRONT ELEVATION
SHEET 1001.1.7

Chairperson

Karl Kassner

Vice-Chairperson

David Jarvis

Commissioners

David Bega

Dennis Tristao

Janet Watkins

Vicente Carrasco

Sanchez

Karen Frey

Planning Commission



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STAFF REPORT

Item # 6.1

To: Planning Commission

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

Date: December 6, 2021

Subject: Information: Lot Line Adjustment 21-01 submitted by Four Creeks Engineering and D.R. Horton

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- A. **General Information:** LLA 21-01 for a minor line adjustment regarding easements Subdivision Tract 880 (Fox Run 1)

Discussion: LLA are not an item that requires Planning Commission approval. However, it has always been Community Development process to present LLA to the commission for their information.

