



AGENDA
NEWMAN PLANNING COMMISSION
REGULAR MEETING OF JUNE 18, 2015
CITY COUNCIL CHAMBERS, 7:00 P.M., 938 FRESNO STREET

1. Call To Order.
2. Pledge Of Allegiance.
3. Roll Call.
4. Oath of Office - New Commissioners.
5. Approval Of The Agenda.
6. Approval Of Minutes From The January 20, 2015 Meeting. ([View Minutes](#))
7. Items From The Public.
8. New Business
 - a. Public Hearing
Zone Change No. 2015-01 ([View Report](#))
Applicant: City of Newman
Description: Change an R-2 (duplex residential) site to OS (open space)
Location: The Subject Property is Located at 2070 Prince Street, across from the terminus of Stoneglen Drive, approximately 1200 feet south of Inyo Avenue; More Specifically Described As APN 128-060-021.
 - b. Public Hearing
Parcel Map No. 2015-01 ([View Report](#))
Applicant: Abel Oliveira
Description: Minor land division; converting 2 lots into 4
Location: The subject properties are located on the 700 Block of Inyo Avenue, more specifically described as Assessor's Parcel Numbers 128-024-003 and 128-024-004
 - c. Election Of Architectural Review Committee Member ([View Report](#))
9. Items From Commissioners.
10. Items From Director And Staff.
11. Adjournment.



MINUTES
NEWMAN PLANNING COMMISSION
SPECIAL MEETING JANUARY 20, 2015
NEWMAN LIBRARY COMMUNITY ROOM, 3:30 P.M., 1305 KERN STREET

1. **Call To Order** - 3:30 P.M.

2. **Pledge Of Allegiance.**

3. **Roll Call PRESENT:** Coleman, Day And Allan.
ABSENT: None.

4. **Approval Of The Agenda.**

ACTION: On Motion By Day Seconded By Coleman And Unanimously Carried, The Agenda Was Approved By The Following Vote: AYES: Coleman, Day And Allan; NOES: None; ABSENT: None; NOT PARTICIPATING: None.

5. **Approval Of Minutes From The May 15, 2014 Meeting.**

ACTION: On Motion By Day Seconded By Coleman And Unanimously Carried, The Minutes From The May 15, 2014 Meeting Were Approved By The Following Vote: AYES: Coleman, Day And Allan; NOES: None; ABSENT: None; NOT PARTICIPATING: None.

6. **Items From The Public** - None.

7. **New Business**

a. **Public Hearing**

Site Plan Review No. 2014-02

Applicant: Carolyn Beach On Behalf Of Westside Pallet Inc.

Description: Conduct A Site Plan Review For The Development Of A Pallet Manufacturing Facility.

Location: The Subject Property Is Located In The 2100 Block Of "L" Street, More Specifically Described As Merced County Assessor's Parcel Number 054-022-001.

City Planner Ocasio Presented And Reviewed Site Plan Review No. 2014-02.

Chairperson Allan Opened The Public Hearing At 3:41 P.M.

Robert Fernandez, Jim Fernandez Construction, Explained That His Firm Is Working For The Applicant And Is Managing The Development Of This Expansion Project. Fernandez Noted That His Only Concern Is Related To Storm Drainage And An On-Site Storage Of Storm Water. He Stated That He Is Willing To Answer Any Other Questions The Commission May Have. He Added That It Was Very Similar To The Project That He Had Done For Westside Pallet Across The Street. Fernandez Had A Question Regarding Street Light Conversion To LED And Lighting Photometric Analysis.

City Planner Ocasio Explained That They Would Need To Convert The Existing Street Lights To LED And Noted That A Lighting Photometric Analysis Would Only Be Required If It Was Deemed Necessary Or If Staff Had Additional Concerns or Questions.

There Being No Further Public Comment, Chairperson Allan Closed The Public Hearing At 3:51 P.M.

ACTION: On Motion By Coleman Seconded By Day And Carried By The Following Vote, The Planning Commission Approved Site Plan Review No. 2014-02: AYES: Coleman, Day And Allan; NOES: None; ABSENT: None; NOT PARTICIPATING: None.

8. Items From Commissioners.

Commissioner Day Inquired About The Progress Of The Landscaping Surrounding Saputo's New Tank.

Ocasio Reported That Saputo's Landscaper Has Discussed The Project With Staff And Was Working On Planned Landscaping.

9. Items From Director And Staff - None.

10. Adjournment.

ACTION: On Motion By Day Seconded By Coleman And Unanimously Carried, The Meeting Was Adjourned At 4:00 P.M.

**CITY OF NEWMAN
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

PLANNING COMMISSION MEETING DATE: June 18, 2015

AGENDA ITEM: 8.a.

ZC	#15-01	Change an R-2 parcel to P-Q
APN	128-060-021	Applicant/Owner: City of Newman
CEQA	Completed Under GP EIR	

REQUEST:

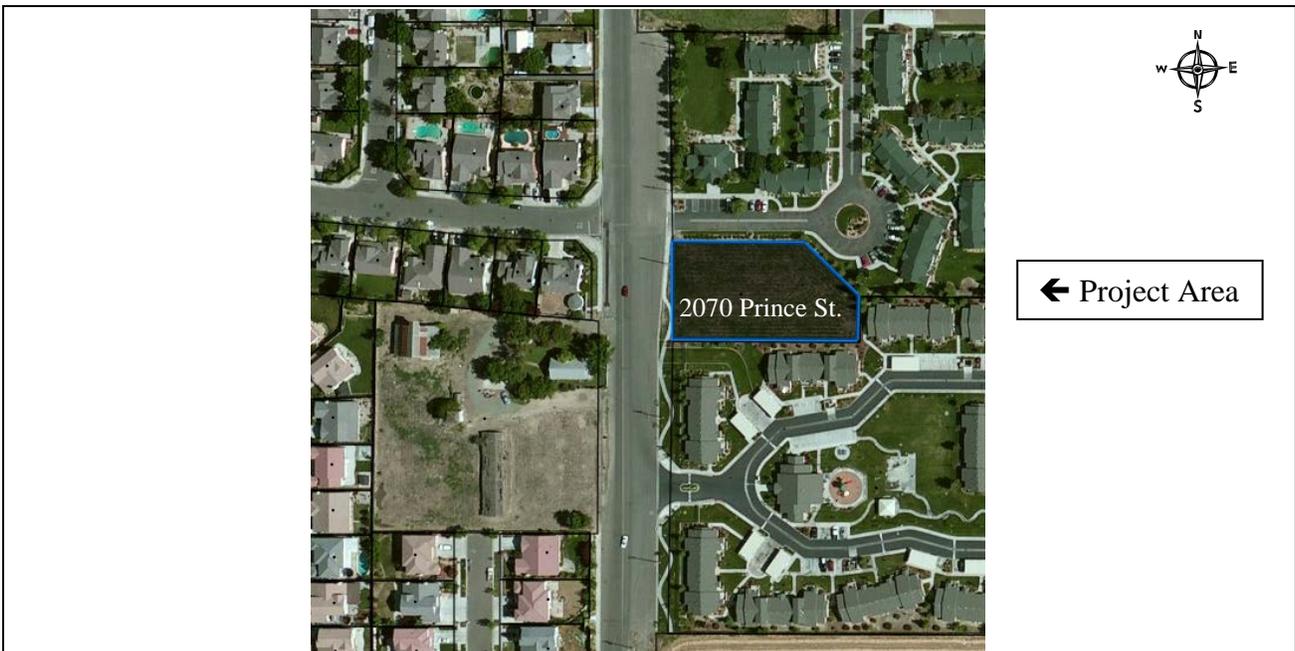
Recommend to the City Council approval of the proposed Public And Quasi-Public re-zoning of 2070 Prince Street.

LOCATION:

The subject property is located at 2070 Prince Street, across from the terminus of Stoneglen Drive, approximately 1200 feet south of Inyo Avenue.

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA) and the City of Newman Environmental Quality Guidelines, it has been determined that this project has already met environmental review requirements through the adopted General Plan EIR.



LAND USE:

<u>Property</u>	<u>Land Use</u>	<u>Zone</u>	<u>General Plan</u>
Subject site	Vacant	R-2	MD
North	Residential	R-2	MD
South	Residential	R-2	MD
East	Residential	R-2	MD
West	Residential	R-1	LD

R-1 = Single Family Residential
LD = Low Density Residential

R-2 = Planned Development
MD = Medium Density Residential

SIZE OF PROPERTY: 0.87 acres

ACCESS: Prince Street

ORDINANCES:

NMC 5.11: P-Q Public And Quasi-Public District
NMC 5.26: Amendments

PROJECT DESCRIPTION:

The proposed re-zoning consists of the re-designation of an R-2 zoned single parcel to the P-Q District. The site in its current state is incompatible for multi-residential development; additionally, public comment has been received indicating the desire to have the parcel developed into park space.

The proposed zone change is in conformance with the Newman 2030 General Plan as required by NMC §5.02.060.A; “Zoning districts shall be applied to all public and private property in a manner that is consistent with applicable policies and land use arrangements set forth in the General Plan.” The Newman 2030 General Plan states “The residential land use designations also allow for public and quasi-public land uses that serve the community. Examples of allowable uses include churches, schools, parks and recreational facilities, fire stations, libraries, day care facilities, community centers and other public uses” (LU-14).

BACKGROUND:

In the late 1990’s, the former Newman Redevelopment Agency (RDA) acquired the property in conjunction with the development of Westside Village Senior Apartments. The original intent for the parcel was the development of a senior center. Said center was to be constructed by the school district utilizing a locally approved bond measure. However, the District elected to build the senior center (i.e. the McConnell Adult Education Center) on the Von Renner campus instead; leaving the parcel vacant.

In 2011, the State legislature and Governor passed AB1X 26 and AB 1X 27; eliminating RDAs. As a part of that process, all RDA-owned assets (including properties) had to be utilized or disposed of. The re-zoning of the subject property will allow the City to develop new park space and retain the property (as opposed to selling it and losing local control of the parcel).

ANALYSIS:

Land Use: The subject site and immediate northern, eastern and southern parcels are zoned R-2 (duplex residential), while parcels to the west are zoned R-1 (single family residential). Given its small size, unique proportions and existing CCID pipelines; the parcel is not a suitable for residential development. However, the proposed zone (and subsequent open space/park development) is compatible with said zoning districts and consistent with their General Plan Land Use designations.

If recommended to Council by the Planning Commission, staff will be proposing an amendment to the zoning map to re-zone the subject property to a P-Q zoning classification.

Environmental Review: All potential environmental impacts have been evaluated in the Newman 2030 General Plan EIR, no further environmental review is necessary.

FINDINGS:

No specific guidelines for re-zoning are provided in the municipal code. To better provide the Planning Commission with information in its decision making process, staff has utilized the following findings for reference and analysis.

1.) Is the proposed re-zoning consistent with the goals, policies and actions of the General Plan?

Pro: The proposed zoning amendment is consistent with and conforms to the City's adopted General Plan.

Con: None

2.) Are the affected sites physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designations and anticipated land use?

Pro: The proposed site is physically suited for the proposed zoning classification as dictated by the General Plan. The parcel has the necessary access, compatibility with adjoining land uses and provision of utilities for the proposed zoning designation.

Con: None

3.) Is public health, safety or welfare affected by the zone change? If so, does public necessity, convenience and general welfare permit it?

Pro: Given that the Zone Change has been thoroughly analyzed under the General Plan and accompanying EIR and all potential impacts have been mitigated in said documents; the finding is that public health and safety are not affected by the zone change.

Con: None

Public Comment

A Public Notice was published in the West Side Index on June 4, 2015 and mailed out to surrounding property owners within a 300' radius. As of this date (6-12-15), two project inquiries have been received; no formal comments were submitted. However, it is important to note that the adjacent senior apartment complex is supportive of park development at the parcel.

CONCLUSION:

The proposed project is to re-zone a single parcel from R-2 to P-Q to allow for the development of park space on a currently vacant parcel, this proposal is consistent with the Newman 2030 General Plan.

The re-zoning process requires the Planning Commission's review and recommendation to Council. At the Council level, staff will be proposing an amendment to the current Zoning Map to reclassify the parcel as open space (i.e. P-Q zoning). Should the re-zoning not be recommended for approval, the subject property will continue to be zoned R-2 and may have to be disposed of (i.e. sold) by the former RDA; creating the potential for future non-park development.

Therefore, staff recommends that the Commission recommend approval of the proposed Zone Change to the City Council. As required by law; advisory groups such as the Planning Commission must make their decisions based on existing laws and mandates, said decisions are usually made through findings; staff has provided the Commission findings supporting both approval and denial of the project.

CONDITIONS OF APPROVAL:

Should the Planning Commission recommend approval of the proposed Zone Change to the City Council; staff recommends the following conditions of approval:

1. The proposed zoning shall be consistent with the General Plan.
2. Subsequent development of park space shall be approved by the City Council

ATTACHMENTS:

1. Exhibit A, Resolution Approving the Project

PLANNING COMMISSION RESOLUTION #2015-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWMAN
RECOMMENDING APPROVAL TO THE CITY COUNCIL FOR ZONE CHANGE #15-01**

PROJECT NAME: 2070 Prince Street Re-Zoning

PROPOSAL DESCRIPTION:

The proposed Re-Zoning consists of the re-zoning of 1 parcel located at 2070 Prince Street from R-2 (Duplex Residential) to P-Q (Public and Quasi-Public) in conformance with the Newman 2030 General Plan.

PROJECT APPLICANT: City of Newman

WHEREAS, the City Planning Commission having reviewed the proposal and having reviewed any written or verbal comments received prior to the public hearing, including the recommendations of City Staff and having heard oral comments received during the Planning Commission public hearing, does hereby find and declare that the proposal will not have a significant effect on the environment and recommends approval of Zone Change #15-01 to the City Council based on the following findings and conditions of approval:

FINDINGS FOR APPROVAL:

- 1.) That the proposed re-zoning consistent with the goals, policies and actions of the General Plan.
- 2.) That the affected site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designation and anticipated land use.
- 3.) That the public health, safety or welfare are not affected by the zone change and that the public necessity, convenience and general welfare permit it.

CONDITIONS OF APPROVAL

1. The proposed zoning shall be consistent with the General Plan.
2. Subsequent development of park space shall be approved by the City Council

The foregoing resolution was introduced at a regular meeting of the Planning Commission of the City of Newman held on the 18th day of June, 2015, by Commissioner _____, who moved its adoption, which motion was duly seconded by Commissioner _____, and the Resolution adopted by the following vote:

AYES: _____
NOES: _____
ABSENT: _____

APPROVED:

Planning Commission Chair

ATTEST:

Planning Commission Secretary

I HEREBY CERTIFY THAT THE FOREGOING IS A FULL, CORRECT, AND TRUE COPY OF PLANNING COMMISSION RESOLUTION NO. 2015- AS ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF NEWMAN, A MUNICIPAL CORPORATION OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, AT A REGULAR MEETING HELD ON JUNE 18, 2015, AND TO FURTHER CERTIFY THAT SAID RESOLUTION HAS NEVER BEEN RESCINDED OR MODIFIED.

Planning Commission Secretary

Dated

CITY OF NEWMAN COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

PLANNING COMMISSION MEETING DATE: June 18, 2015

AGENDA ITEM: # 8.b.

PM	#15-01	Minor land division; convert 2 lots into 4
APNs	128-024-003/004	Applicant: Abel Oliveira
CEQA	Exempt	

REQUEST:

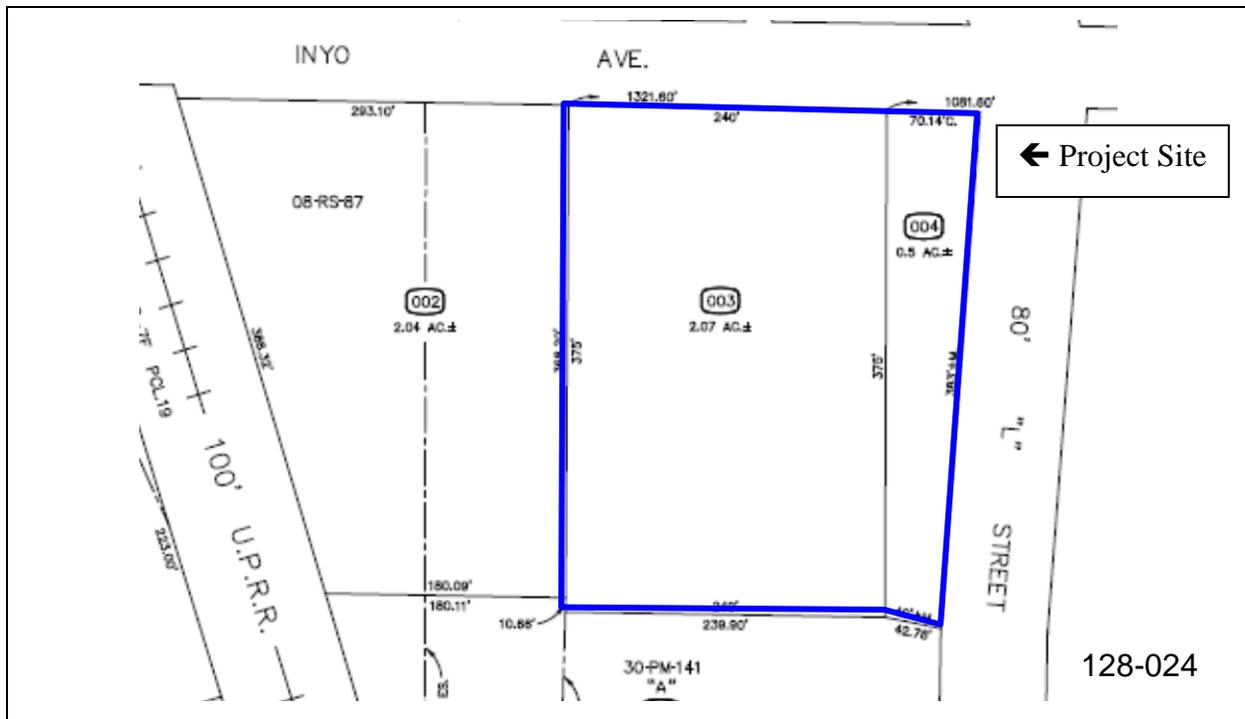
Minor land division; convert 2 lots into 4.

LOCATION:

The subject properties are located on the 700 Block of Inyo Avenue, on the southwest corner of Inyo Avenue and "L" Street

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA) and the City of Newman Environmental Quality Guidelines, it has been determined that this project is categorically exempt from the provisions of CEQA.



LAND USE:

<u>Property</u>	<u>Land Use</u>	<u>Zone</u>	<u>General Plan</u>
Subject site	Residential*	M	LI
North	Heavy Industrial	M	HI
South	Light Industrial	I	HI
East	Automotive/Yard	M	LI
West	Wholesale/Sales	M	LI

M = Light Industrial/Business Park

LI = Light Industrial

*Legal Non-Conforming

I = Controlled Manufacturing

HI = Heavy Industrial

SIZE OF PROPERTIES: 2.07 and 0.5 acres

ACCESS: Inyo Avenue and “L” Street

ORDINANCES:

NMC Title 6: Subdivision

PROJECT DESCRIPTION:

The submitted map shows the creation of four parcels (two 0.5 acres, one 0.8 acres and 0.7 acres). Services for the new parcels will be provided (upon development) through extensions of existing service lines in Inyo Avenue and/or “L” Street.

ANALYSIS:

The subject properties are two parcels located in the city’s “M” zoning district located on the southwest corner of Inyo Avenue and “L” Street. The existing parcels contain a total of three residential single-family units and four accessory buildings. Surrounding lots include heavy industrial (Newman Flange) to the north, Light Industrial (T&R Enterprises) to the South, Automotive/Yard (Newman City Tow) to the east and Wholesale/Sales (Joe’s Landscaping and Concrete) to the west.

This parcel is considered an infill site. Water and sewer lines exist within the adjacent streets. Any new structures would be required to have separate connections and pay all applicable fees. In addition, any new development would be required to undergo a Site plan Review and Architectural Review process to ensure its conformity and compatibility with the existing zoning district and surroundings.

Currently, the subject properties are accessed from both Inyo Avenue and “L” Street. Access to the new parcels would also be off said streets (parcel 1 from Inyo, parcel 2 from either Inyo Avenue or “L” Street, and parcels 3 and 4 from “L” Street). Given that other development currently fronts on both Inyo Avenue and “L” Streets and its “M” (Light Industrial/Business Park) zoning district, minimal impact should occur due to the creation of the proposed new parcels.

Public Comment

A Public Notice was published in the West Side Index on June 4, 2015 and mailed out to surrounding property owners within a 300' radius. As of this date (6-12-15), no formal comments were submitted.

CONCLUSION:

The proposed project is to reconfigure two existing light industrial parcels into four parcels. The new parcels will acquire services from surrounding water and sewer lines. The addition of two parcels will not have a negative impact upon City services or the immediate neighborhood.

RECOMMENDATIONS:

Approval of Parcel Map #06-02

CONDITIONS OF APPROVAL:

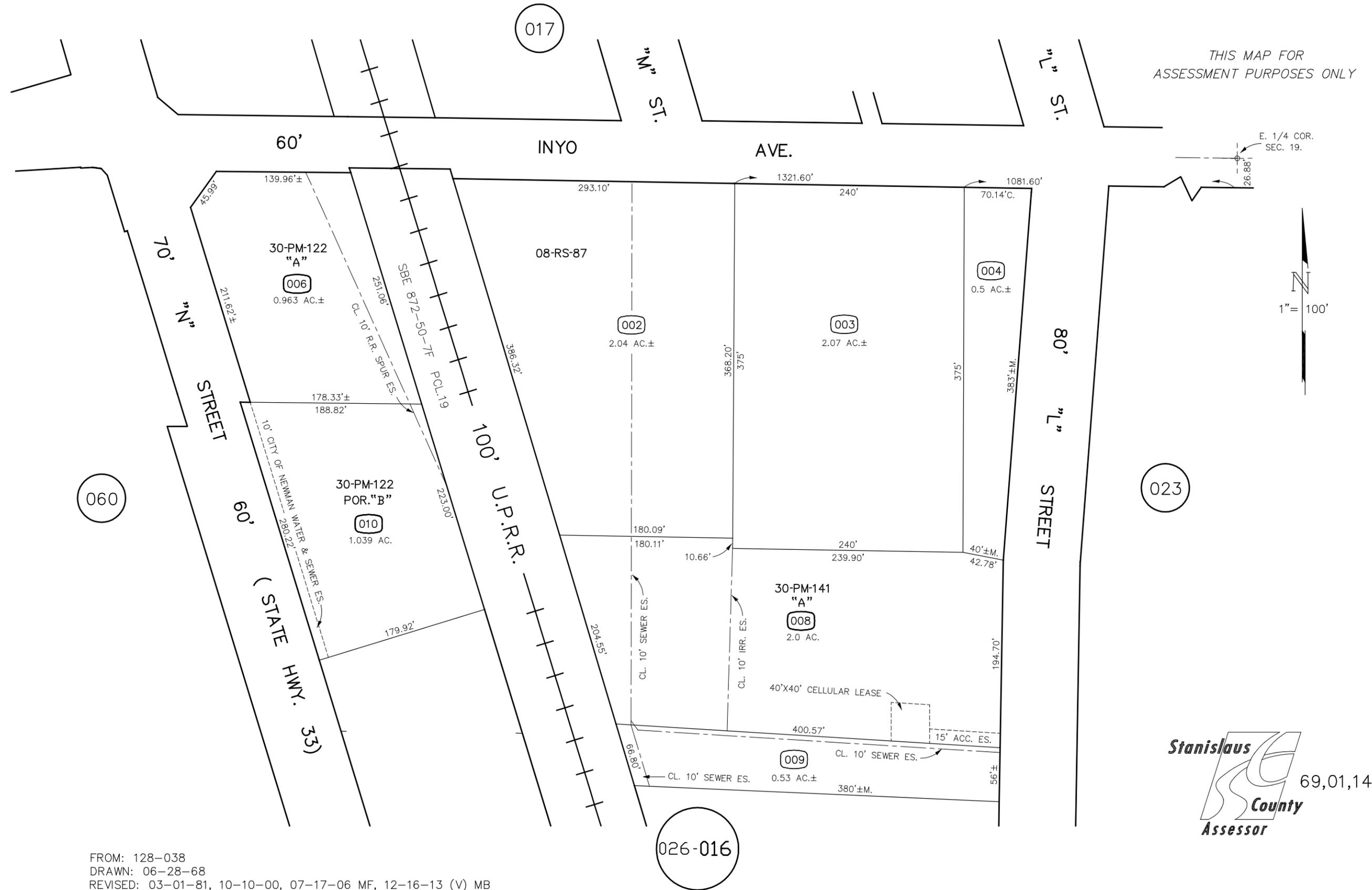
1. The developer shall be responsible for extending all applicable sewer lines to serve project site in accordance with city specifications.
2. The developer shall be responsible for extending all applicable water lines to project site.
3. The applicant shall be required to demonstrate available storm drain capacity on site and/or within existing system prior to the issuance of a building permit.
4. The developer shall complete all Inyo Avenue right-of-way improvements to City standards prior to the issuance of a building permit.
5. The developer shall complete all "L" Street right-of-way improvements to City standards prior to the issuance of a building permit.
6. The applicant shall submit a final Parcel Map to the City of Newman for review and recordation.
7. Locations of the existing sewer laterals shall be shown on the final Parcel Map.
8. The easterly driveway approach on Inyo Avenue shall be removed or relocated a minimum 3 feet from the new property line prior to the development, sale or transfer of parcels 1 and/or 2.

ATTACHMENTS:

1. Exhibit A, Aerial View of Project Site
2. Exhibit B, Assessors Map
3. Exhibit C, Parcel Map

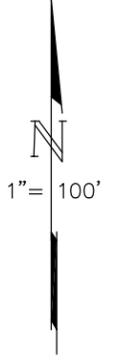


Aerial View of Project Site

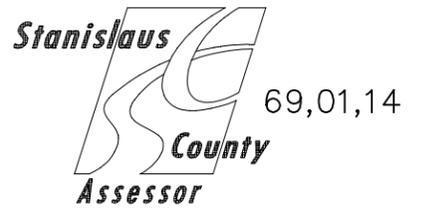


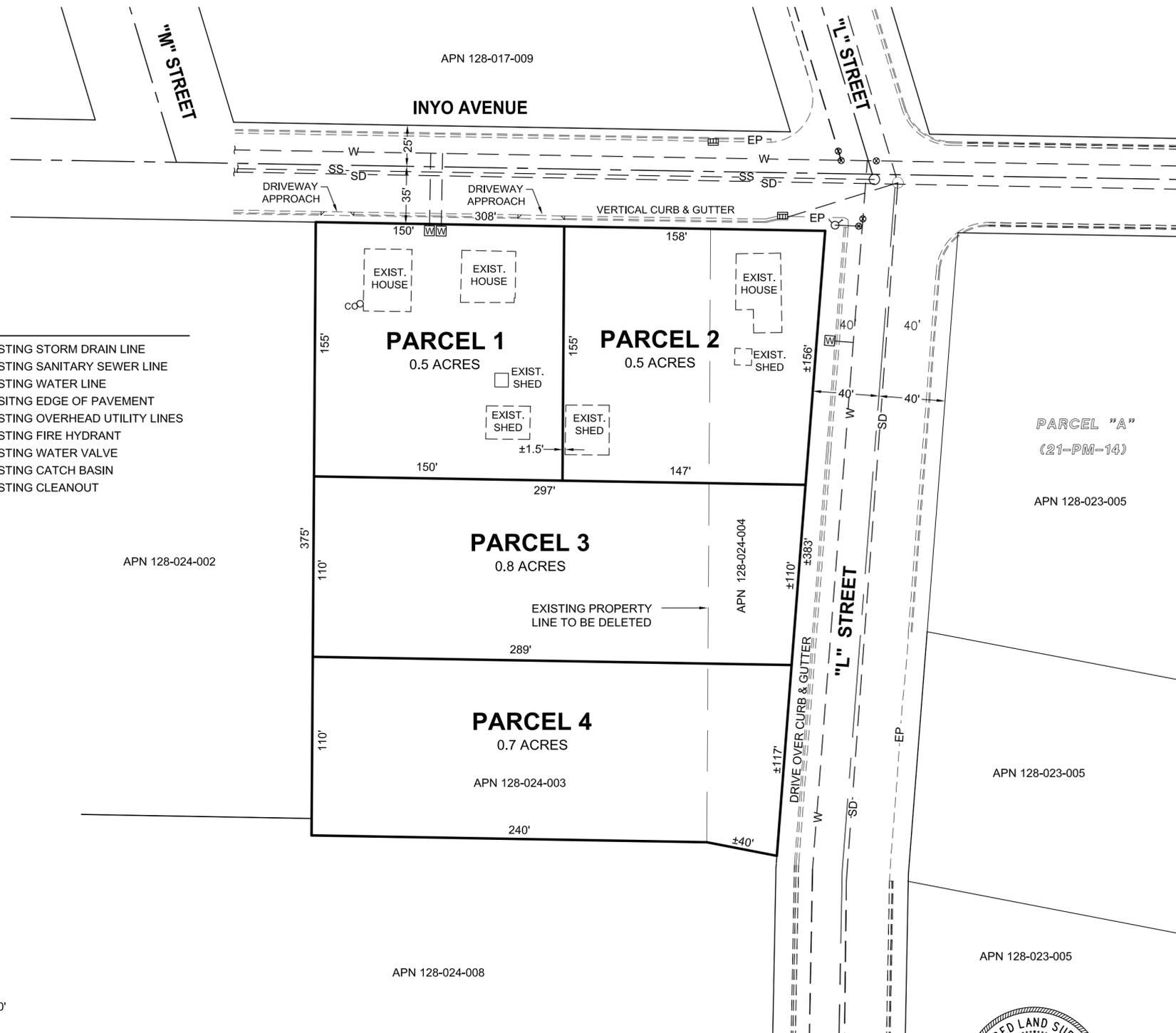
THIS MAP FOR ASSESSMENT PURPOSES ONLY

E. 1/4 COR. SEC. 19.



FROM: 128-038
 DRAWN: 06-28-68
 REVISED: 03-01-81, 10-10-00, 07-17-06 MF, 12-16-13 (V) MB



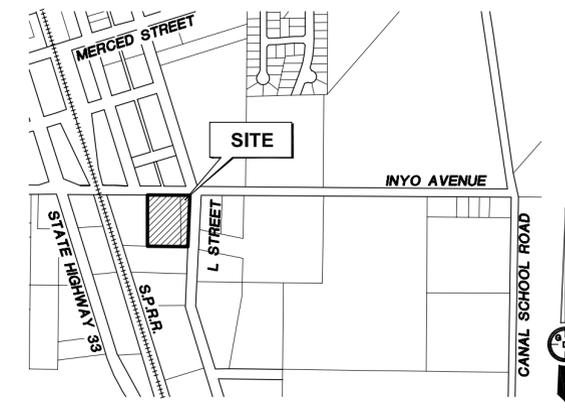


- LEGEND:**
- SD— EXISTING STORM DRAIN LINE
 - SS— EXISTING SANITARY SEWER LINE
 - W— EXISTING WATER LINE
 - EP— EXISTING EDGE OF PAVEMENT
 - OH— EXISTING OVERHEAD UTILITY LINES
 - ⊕ EXISTING FIRE HYDRANT
 - ⊙ EXISTING WATER VALVE
 - ⊞ EXISTING CATCH BASIN
 - ⊙ EXISTING CLEANOUT



SCALE: 1" = 50'

NOTE:
 WATER RIGHTS AND RIGHTS TO DITCHES AND RESERVOIRS AS
 CITED IN PATENT RECORDED MARCH 8, 1893 IN BOOK 9 OF PATENTS,
 AT PAGE 330, STANISLAUS COUNTY RECORDS HAS NO EFFECT ON
 THIS SITE AS THERE ARE NO DITCHES OR RESERVOIRS WITHIN THE
 BOUNDARY.



VICINITY MAP
 CITY OF NEWMAN, STANISLAUS COUNTY, STATE OF CALIFORNIA

MAP PREPARED BY
 GDR ENGINEERING, INC.
 3525 MITCHELL ROAD, SUITE G
 CERES, CA 95307
 PH.: (209) 538-3360
 FAX: (209) 538-7370

PROPERTY OWNER
 ABEL OLIVEIRA AND FILOMENA OLIVEIRA
 PO BOX 1173
 FREEDOM, CA 95019
 PH.: (831) 334-4907

PROJECT INFORMATION
 A.P.N.: 128-024-003 AND 004
 TOTAL AREA: ± 2.5 ACRES
 EXISTING USE OF PROPERTY: RESIDENTIAL
 PROPOSED USE OF PROPERTY: FUTURE INDUSTRIAL
 ZONING DESIGNATION: M (INDUSTRIAL)
 WATER: CITY OF NEWMAN
 SEWER: CITY OF NEWMAN
 STORM DRAINAGE: CITY OF NEWMAN

PROPERTY DESCRIPTION
 BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 19,
 TOWNSHIP 7 SOUTH, RANGE 9 EAST, MOUNT DIABLO BASE AND
 MERIDIAN, IN THE CITY OF NEWMAN, STATE OF CALIFORNIA.

- NOTES**
1. THIS VESTING TENTATIVE PARCEL MAP PROPOSES TO CREATE FOUR PARCELS.
 2. NO DEVELOPMENT, GRADING, UTILITIES, IMPROVEMENTS, PUBLIC AREA, TREE PLANTING OR STREET LIGHTING ARE PROPOSED WITH THIS APPLICATION.
 3. EXISTING BUILDINGS ON SITE TO REMAIN.

GDR ENGINEERING, Inc.
 ENGINEERING/SURVEYING/PLANNING
 3525 MITCHELL ROAD, SUITE G CERES, CA 95307
 TELEPHONE: (209) 538-3360 FAX: (209) 538-7370
 E-MAIL: gdreng@gdreng.com

**VESTING TENTATIVE PARCEL MAP
 FOR ABEL OLIVEIRA**

Scale: AS SHOWN	Date: JUNE, 2015
DWG NO. 06063 Parcel Map.dwg	Sheet 1 of 1
Drawn: SH	Checked: SH Job No.: 15021



City of Newman
Community Development Department
Memorandum

Date: June 12, 2015
To: Planning Commission
From: Stephanie Ocasio, City Planner
Subject: Architectural Review Committee Appointment

The Architectural Review Committee was established in 1997 with the principal purposes of assisting in improving the overall aesthetic appearance of the City including open spaces, buildings, structures, signs and public places; and establishing and maintaining design standards, policies and guidelines capable of promoting and enhancing good design in the City.

Per NMC 5.27.023, a Planning Commissioner must serve as a member of the ARC. Given recent resignations and vacancies, the ARC has been operating with only three members (the minimum needed for a quorum). The appointment of the Planning Commissioner seat would fill one vacancy (easing quorum concerns). The remaining vacancy (Business/Chamber member) will remain open until filled.

The Architectural Review Committee (ARC) meets as needed with a maximum of two meetings per month. ARC meetings are usually held on Thursdays at 3:30pm at City Hall (unless a special meeting is called).

It is staff's recommendation that the Planning Commission appoint a member to the Architectural Review Committee. Said appointment will be effective immediately and expires in April of 2017.