



AGENDA  
NEWMAN PLANNING COMMISSION  
REGULAR MEETING OF JULY 16, 2015  
CITY COUNCIL CHAMBERS, 7:00 P.M., 938 FRESNO STREET

1. Call To Order.
2. Pledge Of Allegiance.
3. Roll Call.
4. Approval Of The Agenda.
5. Approval Of Minutes From The June 18, 2015 Meeting. ([View Minutes](#))
6. Items From The Public.
7. New Business
  - a. Public Hearing (Continued From June 18, 2015) ([View Report](#))  
Zone Change No. 2015-01  
Applicant: City of Newman  
Description: Change an R-2 (duplex residential) site to P-Q (public/quasi-public)  
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.
8. Items From Commissioners.
9. Items From Director And Staff.
10. Adjournment.



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

1. **Call To Order** - 7:01 P.M.
2. **Pledge Of Allegiance.**
3. **Roll Call PRESENT:** Day And Allan.  
**ABSENT:** Coleman.
4. **Oath of Office - New Commissioners.**

City Attorney Hallinan Administered The Oath Of Office To New Commissioners Marlena Cardinal And E. Timothy Parker.

5. **Approval Of The Agenda.**

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

6. **Approval Of Minutes From The January 20, 2015 Meeting.**

**ACTION:** On Motion By Day Seconded By Cardinal, The Minutes From The January 20, 2015 Meeting Were Approved By The Following Vote: **AYES:** Day, Parker, Cardinal And Allan; **NOES:** None; **ABSENT:** Coleman; **NOT PARTICIPATING:** None.

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

8. **New Business**

a. **Public Hearing**

**Zone Change No. 2015-01**

**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 Stoneglan Drive, approximately 1200 feet south of Inyo Avenue; More Specifically Described As APN 128-060-021.

City Planner Ocasio Explained That The Public Notice Regarding Zone Change No. 2015-01 Contained A Typographical Error And Therefore, She Requested That The Commission Open The Public Hearing And Continue It To The Next Planning Commission Meeting Scheduled For July 16, 2015. Ocasio Noted That Staff Would Publish A Corrected Notice Apprising The Public Of The July 16, 2015 Meeting.

Chairperson Allan Opened The Public Hearing At 7:10 P.M.

**ACTION:** On Motion By Day Seconded By Parker, The Public Hearing Was Continued To The July 16 2015 Planning Commission Meeting By The Following Roll Call Vote: **AYES:** Day, Parker, Cardinal And Allan; **NOES:** None **ABSENT:** Coleman; **NOT PARTICIPATING:** None.

**b. Public Hearing**

**Parcel Map No. 2015-01**

**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

City Planner Ocasio Presented And Reviewed Parcel Map No. 2015-01.

Chairperson Allan Opened The Public Hearing At 7:14 P.M.

There Being No Public Comment, Chairperson Allan Closed The Public Hearing At 7:15 P.M.

Sean Harp, GDR Engineering, Addressed The Commission Explaining That He Represented The Owner And Was There To Answer Any Questions They Might Have.

**ACTION:** On Motion By Parker Seconded By Day, The Planning Commission Approved Parcel Map No. 2015-01 By The Following Roll Call Vote: AYES: Day, Parker, Cardinal And Allan; NOES: None ABSENT: Coleman; NOT PARTICIPATING: None

**c. Election Of Architectural Review Committee Member**

City Planner Ocasio Explained The Duties Of The Architectural Review Committee And The Need for A Quorum.

**ACTION:** On Motion By Parker Seconded By Day, Commissioner Cardinal Was Elected As The Planning Commission's Representative To The Architectural Review Committee By The Following Roll Call Vote: AYES: Day, Parker, Cardinal And Allan; NOES: None; ABSENT: Coleman; NOT PARTICIPATING: None

**9. Items From Commissioners.**

Commissioner Parker Stated He Was Happy To Be Here.

Commissioner Day Welcomed The New Commissioners Aboard.

Commissioner Allan Also Welcomed The New Commissioners And Inquired About The Status Of The First Student Building On The Corner Of Kern Street And Highway 33.

City Planner Ocasio Stated That There Were No Plans Submitted For The Building At This Time.

**10. Items From Director And Staff.**

City Planner Ocasio Welcomed The New Commissioners And Offered To Hold A Workshop In The Near Future To Familiarize New Commissioners And Provide A Refresher For Current Commissioners Regarding The Duties Of A Planning Commissioner. Ocasio Also Reported On Upcoming Projects Including The Waste Water Treatment Plant Expansion And The Planned Home Buyers Program.

In Closing, Ocasio Informed The Commission That The Open House For The Newly Renovated Memorial Building Was Being Held on Tuesday, June 23, 2015 At 5:30 P.M. With The City Council Meeting Being Held Immediately After At 7:00 P.M.

**11. Adjournment.**

**ACTION:** On Motion By Day Seconded By Parker And Unanimously Carried, The Meeting Was Adjourned At 7:28 P.M.

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

**PLANNING COMMISSION MEETING DATE:** July 16, 2015

**AGENDA ITEM: 7.a.**

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

**REQUEST:**

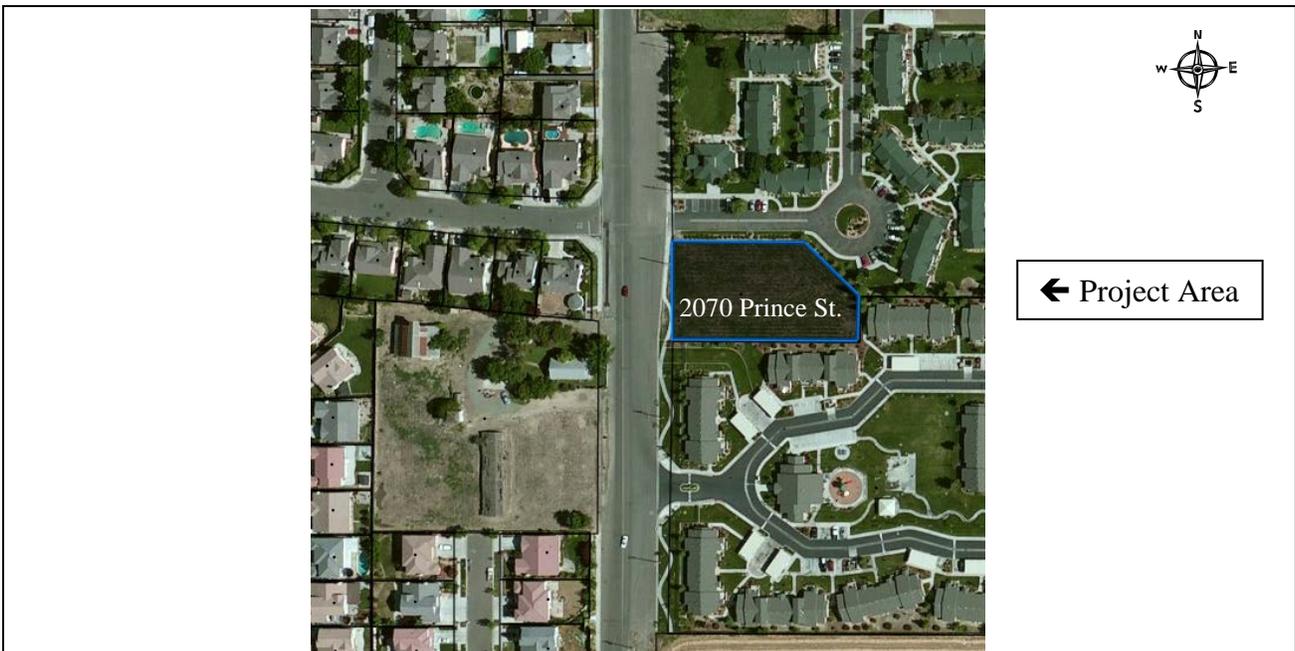
Recommend to the City Council approval of the proposed Public And Quasi-Public re-zoning of 2070 Prince Street.

**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 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 July 2, 2015 and mailed out to surrounding property owners within a 300' radius. As of this date (7-8-15), one comment has been received (attached). Additionally, 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, Comment Received
2. Exhibit B, Resolution Approving the Project

7-6-15

To: Stephanie Ocasio City Planner

Regarding Zone Change #15-01

My only question regarding this zone change is that there is an irrigation box located on this property that I use. If this property is taken over by the city there are a couple of modifications that should be done to it to make it safer and child proof. I have discussed this with the Superintendent of Public Works, Perfecto Milan and he understood my concerns. I am not sure who would be responsible for these modifications, maybe the city, maybe the C.I.D., Maybe this question could be raised at the public hearing and I could be notified if anything needs to be done on my part. Thank You

Rooci Partha  
Rooci Pometta  
1975 Moreno Lane  
Newman CA 95360  
862-4036



**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 16<sup>th</sup> day of July, 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 JULY 16, 2015, AND TO FURTHER CERTIFY THAT SAID RESOLUTION HAS NEVER BEEN RESCINDED OR MODIFIED.

\_\_\_\_\_  
Planning Commission Secretary

\_\_\_\_\_  
Dated