



AGENDA
NEWMAN PLANNING COMMISSION
REGULAR MEETING OF JULY 16, 2020
CITY COUNCIL CHAMBERS, 6:00 P.M., 938 FRESNO STREET

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-29-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 17, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT

THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA VIDEO CONFERENCING AT <https://zoom.us/j/98414430677> AND VIA TELECONFERENCE BY CALLING (669) 900-6833, MEETING ID: 984 1443 0677 AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT

1. Call To Order.
2. Pledge Of Allegiance.
3. Roll Call.
4. Approval Of The Agenda.
5. Approval Of Minutes From The February 20, 2020 Meeting. ([View Minutes](#))
6. Items From The Public.
7. New Business
 - a. Public Hearing
 - Tentative Parcel Map No. 20-01**
 - Applicant:** Rocci Pometta
 - Description:** To split one (1) parcel of 2.44+/- acres into two (2) parcel of 0.45+/- acres and 1.99+/- acres.
 - Location:** The Subject Property is located at 1975 Moreno Avenue. More specifically described as Assessor's Parcel No's. 128-060-010 & 128-060-011.
 - ([View Report](#))
8. Items From Commissioners.
9. Items From Director And Staff.
10. Adjournment.



MINUTES
NEWMAN PLANNING COMMISSION
REGULAR MEETING OF FEBRUARY 20, 2020
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:** Thompson, Coleman, Dudley, Harmon And Allan.
ABSENT: None.
4. **Approval Of The Agenda.**

ACTION: On A Motion By Coleman Seconded By Thompson, The Agenda Was Approved By The Following Roll Call Vote: AYES: Thompson, Coleman, Dudley, Harmon And Chairperson Allan; NOES: None; ABSENT: None; NOT PARTICIPATING: None.

5. **Approval Of Minutes From The July 18, 2019 Meeting.**

ACTION: On A Motion By Coleman Seconded By Dudley, The Minutes From The March 15, 2018 Meeting Were Approved By The Following Roll Call Vote: AYES: Thompson, Coleman, Dudley, Harmon And Chairperson Allan; NOES: None; ABSENT: None; NOT PARTICIPATING: None.

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

7. **New Business**

a. **Public Hearing**

Time Extension Request No. 2020-01

Applicant: Doug Stephens/Stephens Investments, LP

Description: Three year time extension for VTTM No. 18-01 (North Manor)

Location: The Subject Property is located at the North/Northwest terminus of Real Avenue.
More specifically described as Assessor's Parcel No. 026-049-032

City Planner Hendrix Presented And Reviewed Time Extension Request No. 2020-01.

Commissioner Coleman Inquired If There Had Been Any Public Input Or Inquiries, If So Had There Been Any Results.

Chairperson Allan Reported That There Had Been Some Public Requests Regarding Conditions On The Map At The March 15, 2018 Planning Commission Meeting.

Chairperson Allan Opened The Public Hearing At 7:09 P.M.

Ann Deavers, 548 Real Court, Asked If The Single Story Requirement Would Change If The Extension Was Approved.

City Planner Hendrix Stated That All The Previous Requirements Would Remain The Same With The Extension.

Dennis Hatfield, 548 Real Court, Thanked The Commission For Limiting The Project To Single Story Homes. Hatfield Stated That There Had Been Twenty-Four Months Of Delays And Indicated That He Prefers To Get The Project Started. He Noted That He Hoped The Process Would Be Painless Unlike The Last Development.

There Being No Further Public Comment, Chairperson Allan Closed The Public Hearing At 7:12 P.M.

Commissioner Coleman Stated That He Looked Forward To Completion Of The Project.

Commissioner Harmon Asked About The Reasons For The Two Year Delay.

Doug Stephens, Project Developer, Noted That These Types Of Projects Are Market Driven And Indicated That He Was Currently Working With A Known Builder.

Commissioner Coleman Asked If He Was Working With One Or More Builders.

Doug Stephens, Project Developer, Noted That He Was Working With One Builder And Pointed Out That It Takes Time To Negotiate And Obtain Financing.

City Planner Hendrix Explained That The Approval Of The Extension Would Give The Developer Three Years To Produce A Final Map And Have The Map Recorded. Hendrix Pointed Out That After That There Is No Time Limit On When The Project Could Be Developed.

Commissioner Harmon Asked If The Entire Process Would Have To Start Over If The Time Extension For The Project Was Not Approved.

City Planner Hendrix Stated That He Would Have To Reapply.

Chairperson Allan Re-Opened The Public Hearing At 7:18 P.M.

Dennis Hatfield, 548 Real Court, Asked That The Neighborhood Not Be Made To Endure A Long Construction Period.

There Being No Further Public Comment, Chairperson Allan Closed The Public Hearing At 7:20 P.M.

ACTION: On A Motion By Dudley Seconded By Thompson The Planning Commission Adopted Resolution No. 2020-01, A Resolution Approving A Three Year Time Extension For Vesting Tentative Tract Map No. 18-01 By The Following Roll Call Vote: Ayes: Thompson, Harmon, Dudley, And Chairperson Allan; NOES: Coleman; ABSENT: None; NOT PARTICIPATING: None.

8. Items From Commissioners.

Commissioner Thompson Asked If There Were Any Updates Or Information On The Del Puerto Reservoir And Inquired About Status Of The Crows Landing Air Base Project.

City Planner Hendrix Noted That He Did Not Have Information Regarding The Proposed Reservoir But Indicated That The Environmental Impact Report (EIR) For The Air Base Had Been Approved. Hendrix Continued By Commenting That The Air Base Would Be A Long Term Project.

Commissioner Thompson Inquired About A Lawsuit On The Northwest Annexation.

City Planner Emphasized That He Was Not Aware Of Any Lawsuits Filed Regarding The Annexation.

Commissioner Coleman Noted That He Was Appreciative Of The Memorial In Honor Of Corporal Singh.

Commissioner Allan Asked About The Progress Of The New Taco Bell.

City Planner Hendrix Stated That He Thought Opening Would Occur In March Or April.

9. Items From Director And Staff.

City Planner Hendrix Stated That It Was Nice To Be At His First Meeting And That There Would Likely Be Another Planning Commission Meeting In April.

10. Adjournment.

ACTION: On A Motion By Thompson Seconded By Coleman And Unanimously Carried, The Meeting Was Adjourned At 7:30 P.M.

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

PLANNING COMMISSION MEETING DATE: July 16, 2020

AGENDA ITEM: 7.a.

TPM	#20-01	Minor land division; reconfigure one lot into two
APNs	128-060-010 & 011	Applicant: Rocci Pometta
CEQA	Exempt per Section 15315 Minor Land Divisions	

REQUEST:

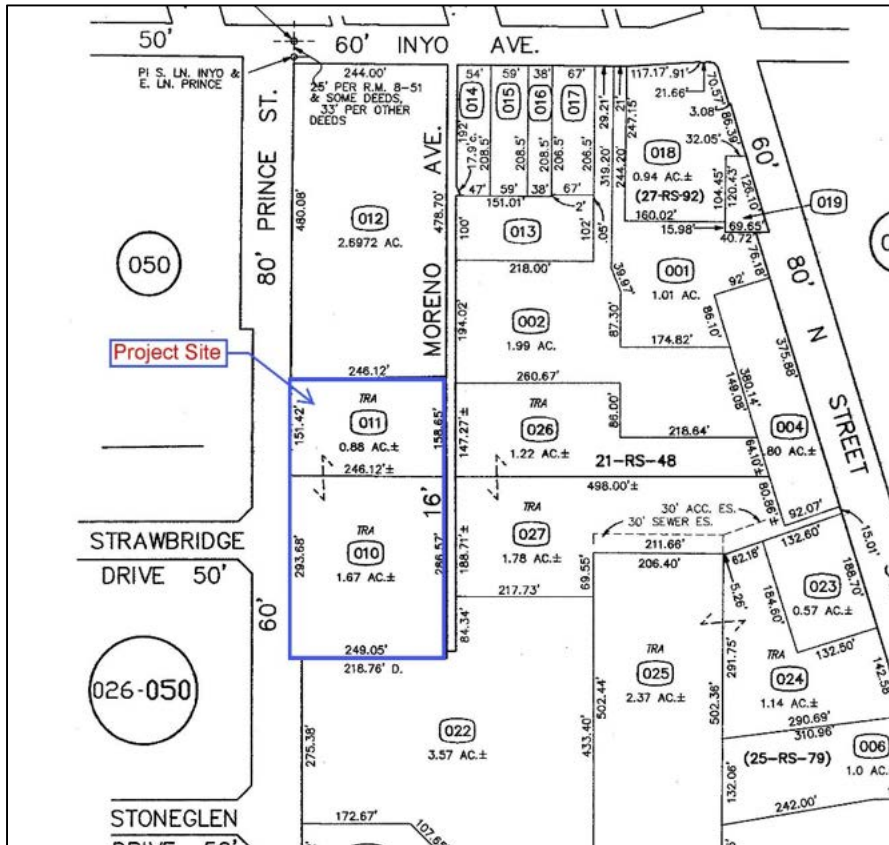
Minor land division; to split one (1) parcel into (2) two parcels.

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 per Section 15315 Minor Land Divisions.

LOCATION:

The subject property is located at 1975 Moreno Avenue



LAND USE:

<u>Property</u>	<u>Land Use</u>	<u>Zone</u>	<u>General Plan</u>
Subject site	Residential	R-2S/R-3	MD
North	Residential	C-1	DC
South	Residential	R-2S	LD
East	Residential	C-2	CC
West	Residential	R-1	LD

R-1 = Single-Family Residential
 R-3 = Multiple Residential
 C-1= Retail Commercial

R-2 = Duplex Residential
 R-2S= Medium Density Single Family Residential
 C-2= General Service Commercial

LD = Low Density Residential
 DC= Downtown Commercial

MD = Medium Density Residential
 CC= Community Commercial

SIZE OF PROPERTY: 2.44+/- acres

ACCESS: Moreno Avenue and Prince Street

ORDINANCES:

NMC Title 6: Subdivision, Chapter 6.09 Minor Land Divisions

PROJECT DESCRIPTION:

The submitted map shows the creation of two parcels, “Parcel 1” being 0.45+/- acres (19,602+/- square feet) and “Parcel 2” being 1.99+/- acres (86,684+/- square feet).

ANALYSIS:

The subject property is one parcel located between Moreno Avenue and Prince Street approximately 515 feet south of Inyo Avenue. The existing parcel contains a total of three structures, a residential single-family unit and two detached accessory structures.

The site currently has two different zoning designations. Approximately 1/3 of the parcel is zoned R-2S (Medium Density Single Family Residential) and the southern 2/3 of the property is zoned R-3 (Multiple Residential). If approved, this zoning designation issue can be solved during the next zoning map update or when a development project is submitted to the City for the southern portion of the property. No development is being proposed at this time.

The subject property is legally one parcel. The Assessor’s Parcel page shows two separate parcel numbers for the property. Two parcel numbers were issued for property tax reasons. This property is located in two separate tax rate areas.

Public Comment

A Public Notice was published in the West Side Index on June 4, 2020 and mailed out to surrounding property owners within a 300’ radius. As of this date, no formal comments have been submitted.

CONCLUSION:

The proposed project is to reconfigure an existing residential parcel into two parcels. The addition of a parcel will not have a negative impact upon City services or the immediate neighborhood.

RECOMMENDATIONS:

Approval of Tentative Parcel Map #20-01.

CONDITIONS OF APPROVAL:

1. The Final Parcel Map shall be in substantial conformance to the approved Tentative Parcel Map and must be submitted to the City Engineering Department for review and approval. The Final Parcel Map shall be prepared, wet signed and sealed by a civil engineer or land surveyor, registered in the State of California and licensed to prepare final maps. Minor changes to the map may be allowed subject to the approval of the Community Development Director.
2. The Tentative Parcel Map shall expire twenty- four (24) months from the effective date of the approval unless a Final Parcel Map is recorded or a time extension request is approved by the City.
3. The County Assessor's office and the County Auditor-Controller office shall be contacted to determine the appropriate tax rates for the two new parcels.
4. When the southern parcel is developed a zone change application shall be submitted to correctly align the zoning districts with the new parcels. Prior to this, the City may update its zoning map. If this occurs, the property owners shall not protest the changing of the zoning districts.
5. This approval does not vest Landowner's rights regarding the payment of any development impact fees, exactions and dedications, processing fees, inspection fees, plan checking fees or charges, or any other fee or charge that could have been legally imposed by the City when the application was deemed complete. All fees and charges shall be paid at the rate in effect at the time such fees are customarily due.
6. Approval of this Tentative Parcel Map does not constitute approval of any other entitlement or any other necessary permit, license, or approval.
7. The applicant/owner is responsible to pay all related plan checking fees and recordation fees associated with the submittal of the Final Parcel Map. All other fees that have not been paid are due to the City prior to the recordation of the Final Parcel Map.
8. The applicant/owner is required to defend, indemnify, or hold harmless the City of Newman, its officers, and employees from any claim, action, or proceedings against the City to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.

ATTACHMENTS:

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

TPM 20-01 (Pometta)

Legend
★ TPM 20-01 Project Site

Inyo Ave



Prince Rd

Project Site

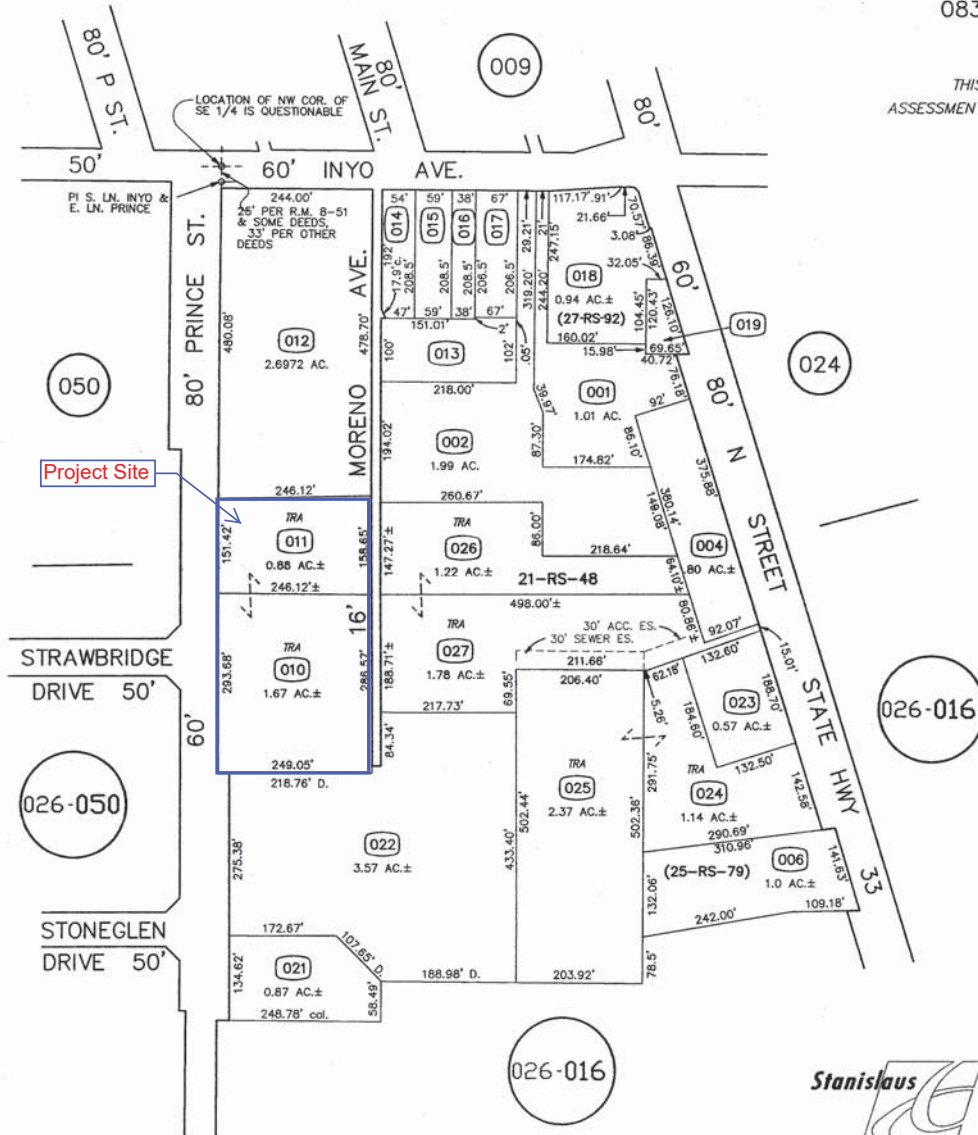
Moreno Ln

Prince St



THIS MAP FOR
ASSESSMENT PURPOSES ONLY

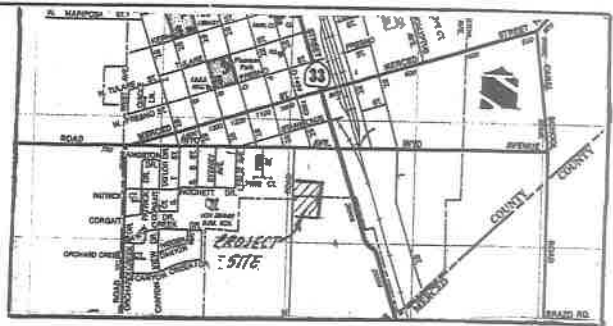
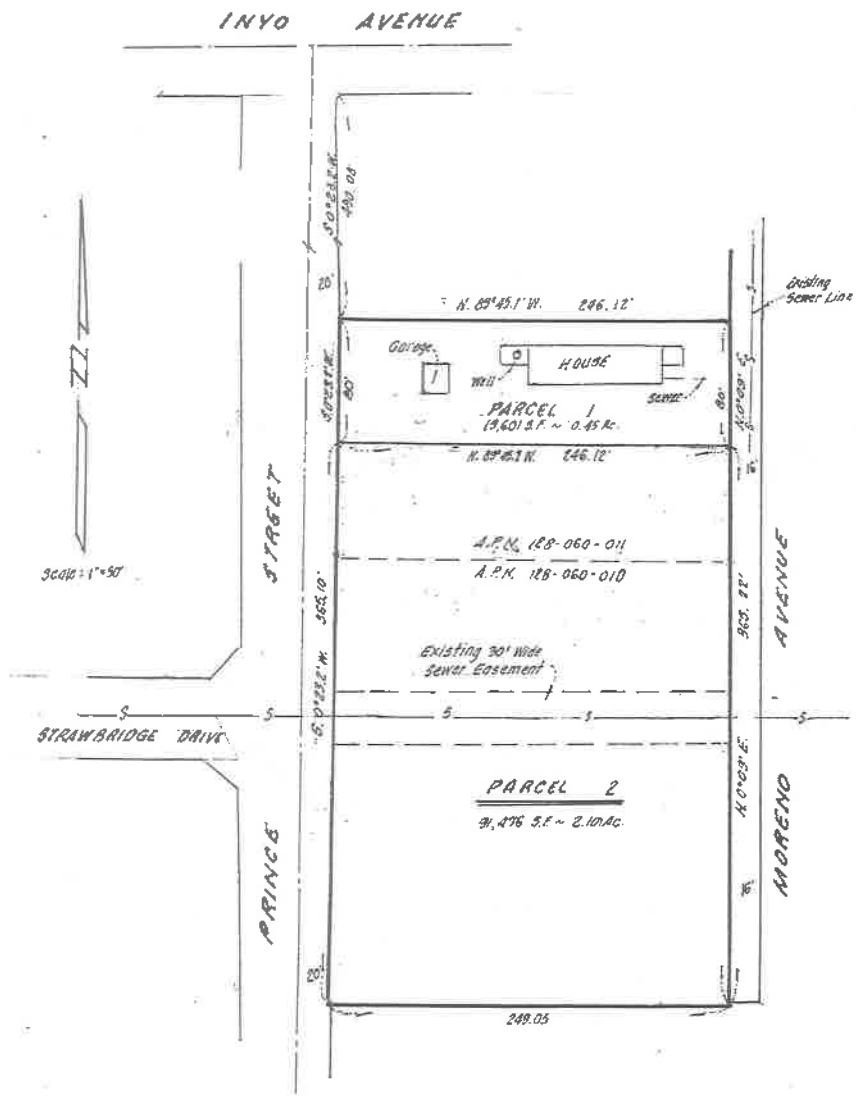
1" = 200'



FROM: 128-25, 26-16
DRAWN: 9-28-94 NC
REVISED: 10-27-94 ,12-4-98, 3-28-00 CS, 4-26-07 MF, 01-17-08 MB.



95,00,08



VICINITY MAP
No Scale

VESTING
TENTATIVE PARCEL MAP

BEING A PORTION OF THE SOUTHWEST 1/4 OF SECTION 19, T.73, R.9E, M.D.B. & M. CITY OF NEWMAN, STANISLAUS COUNTY, CALIFORNIA

OWNER / APPLICANT :

RUCCI E. and KATHY M. POMETTA
1305 "P" Street
Newman, Ca. 95960

NOTES :

1. Assessor's Parcel No. ~ 128-060-010 & 011
2. Current Zoning ~ R-2 and R-3
3. Existing Parcel size: 2.55 ± Acres
4. Proposed Parcel Size: Parcel 1 = 0.45 ac ~ Parcel 2 = 2.10 ac.
5. Sanitary Sewer: from the City of Newman
6. Water Supply from City of Newman
7. Existing structure to remain
8. storm Drainage by City of Newman system

ROBERT BRADEN CONSULTING LAND USE PLANNING AND ZONING P.M.B. # 185 1200 STANFORD AVE. - SUITE 16-B MADERA, CALIFORNIA 95350 (209) 328-6596	Drawn By: RBG Scale: _____ Date: _____ Job No. _____	REVISIONS _____ _____ _____ _____	SHEET 1 OF 11
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