

## **RESOLUTION 021P-006**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COALINGA RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A GENERAL PLAN AMENDMENT, ZONING AMENDMENT, TENTATIVE SUBDIVISION MAP, CONDITIONAL USE PERMIT, SITE REVIEW APPROVAL AND ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM AT THE NORTHWEST CORNER OF PHELPS AVE AND GREGORY WAY**

**WHEREAS**, the Planning Commission of the City of Coalinga, California, did on May 25, 2021, hold a duly noticed Public Hearing to recommend to the City Council the following:

- General Plan Amendment (Public Facilities to Residential Multi-Family and a Portion Residential High Density); and
- Zoning Amendment (PF - Public Facilities to RMD-PD - Residential Medium Density and a portion RHD-PD – Residential High Density with a Planned Development Overlay); and
- Tentative Subdivision Map to include (27) individual independent, single-story living units with an attached additional development unit (ADU);
- Site Plan Review; and
- Conditional use permit for (2) new assisted care buildings totaling 40 beds and 24,334 square feet; and one (1) Alzheimer care building totaling 20 beds and 10,279 square feet and
- Certification of an Initial Study/Mitigated Negative Declaration and mitigation monitoring program in accordance with the California Environmental Quality Act.

**WHEREAS**, the subject property is located at northwest corner of Phelps Ave and Gregory Way, identified more particularly described as (APN(s): 070-060-072, 070-060-96S, and 070-060-97S ); and

**WHEREAS**, said combined development application (CDA) has complied with the requirements the California Environmental Quality Act of 1970 (CEQA), in that the Coalinga Community Development Department has determined that said CDA is subject to CEQA and an initial study and mitigated negative declaration was prepared for this project; and,

**WHEREAS**, the Community Development Department circulated a notice of intent (NOI) to adopt an initial study and negative declaration and advertised a 30-day public comment period which began on February 23, 2021 and ended on March 25, 2021: and

**WHEREAS**, the Community Development Department mailed public hearing notices to all property owners within 300 feet of the site as required by Local and State law, and;

### **GENERAL PLAN AMENDMENT**

**WHEREAS**, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons wanting to be heard, said Planning Commission did

make the following mandatory findings recommending approval of said General Plan Amendment:

1. The potential effects of the proposed General Plan amendment have been evaluated and have been determined not to be detrimental to the public health, safety, or welfare of the City.
2. The proposed General Plan amendment is internally consistent and compatible with the goals, policies, and actions of the General Plan.
3. If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.
4. The proposed General Plan amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

### **REZONING**

**WHEREAS**, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons wanting to be heard, said Planning Commission did make the following mandatory findings recommending approval of said Zone Change:

1. The potential effects of the proposed Zone Change has been evaluated and has been determined not to be detrimental to the public health, safety, or welfare of the City.
2. The proposed Zone Change is internally consistent and compatible with the goals, policies, and actions of the General Plan and Zoning Ordinance.
3. If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.
4. The proposed Zone Change has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

### **SITE PLAN REVIEW**

**WHEREAS**, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons wanting to be heard, said Planning Commission did make the following mandatory findings recommending approval of said site plan review:

1. The proposed construction/alterations are in substantial conformance with the General Plan, zoning ordinance, and any applicable plans adopted by the city.
2. The proposed construction/alterations conform to the requirements of the applicable Zoning Districts.

3. The proposed construction/alteration conforms to all applicable design standards and guidelines, as adopted by the City Council.
4. The construction/alteration will not have significant adverse effects on the public health, safety and welfare.

## **SUBDIVISION MAP**

**WHEREAS**, the Planning Commission finds that all of the criteria for approving a subdivision map has been met together with the provisions for its design and improvement in including the following findings:

1. That the proposed map is consistent with the Coalinga General Plan, or with other applicable plans;
2. That the design or improvement of the proposed subdivision is consistent with the Coalinga General Plan or with other applicable plans;
3. That the site is physically suitable for the proposed type of development;
4. That the site is physically suitable for the proposed density of development;
5. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
6. That the design of the subdivision or type of improvements will not cause serious public health problems;
7. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision; and
8. The map meets the requirements and/or conditions imposed by the "Subdivision Map Act" or by the City's subdivision ordinance.

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**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Coalinga, California, as follows:

SECTION 1. That the above recitations are true and constitute the Findings of the Planning Commission in this case;

SECTION 2. That the Planning Commission does hereby recommend the City Council approve the combined development application with conditions as set in Exhibit "A" and further certify the IS/MND for the reasons set forth in this Resolution.

PASSED AND ADOPTED, by the City of Coalinga Planning Commission at a regularly scheduled meeting held on the 25<sup>th</sup> Day of May 2021.

AYES:

NOES:

ABSTAIN:

ABSENT:

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Planning Commission Chairman/Vice Chairman

ATTEST:

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City Clerk/Deputy City Clerk



**EXHIBIT “A”**  
**CONDITIONS OF APPROVAL**  
**COMBINED DEVELOPMENT APPLICATION,**  
**CDA NO. 20-01**

The staff is recommending approval of the proposed project to the Planning Commission with the following conditions:

**Administrative**

- COA 1. The subdivider shall defend, indemnify, and hold harmless the City or any of its boards, commissions, agents, officers, and employees from any claim, action, or proceeding against the City, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul the approval of the project when such claim or action is brought within the time period provided for in applicable State and/or local statutes. The City shall promptly notify the subdivider of any such claim, action, or proceeding. The City shall coordinate in the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith.
- COA 2. Phasing Plan and Expirations
- a. **Phase 1:** Subdivision Map Creating 32 lots, Development of 27 single family lots and associated improvements. Expiration in accordance with the Subdivision Map Act.
  - b. **Phase 2:** 57-unit Senior Apartments (Requires future Site Plan Review Approval by the Planning Commission)
  - c. **Phase 3:** 28 bed and 12 bed Assisted Living Facilities and 20 bed Alzheimer’s Facility. Site Plan Review will expire 2 years from project approval. Subsequent extensions shall occur in accordance with Planning and Zoning code.
- COA 3. This tentative tract map is granted for the land described in the application on file with the City of Coalinga. The locations of all buildings and other features shall be located and/or designed substantially as shown in the aforementioned applications, unless otherwise specified herein.
- COA 4. Any minor changes may be approved by the Director. Any substantial changes will require the filing of an application for an amendment to be considered either by the Director, the Planning Commission or City Council as deemed appropriate.
- COA 5. All requirements of any law, ordinance or regulation of the State of California, City of Coalinga, and any other governmental entity shall be complied within the exercise of this approval.
- COA 6. Within fifteen (15) days after the effective date of tentative subdivision map approval, the subdivider shall file with the Assistant City Manager written acceptance of the conditions of approval stated herein.
- COA 7. Compliance with an execution of all conditions listed herein shall be necessary, unless otherwise specified, prior to obtaining a certificate of occupancy. Deviation from this requirement shall be permitted only by written consent from the Director and/or as

authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement null and void.

- COA 8. All Community Development Department and Engineering fees shall be paid in full prior to the issuance of a building permit.
- COA 9. When a tentative map is approved or conditionally approved in conjunction with a Conditional Use Permit or other discretionary permit, such permit shall expire at the same time as the tentative map unless the permit states a different expiration date approved by the City Council. Extensions of time of tentative maps approved with companion Conditional Use Permits or other discretionary permits may also include extensions of time for such companion permits to exceed the maximum appropriate time limit permitted by the Coalinga Municipal Code.

### **Engineering**

- COA 10. All improvements shall conform to City Standards and Specifications and be approved by the City Engineer.
- COA 11. The subdivider shall be required to pay water, landscaping/irrigation and sewer impact fees as specified by the City of Coalinga Municipal Code at the time building permit applications are filed.
- COA 12. The subdivider shall be responsible for all the applicable regulations in Chapter 7 of Title 9 of the Municipal Code as it relates to subdivisions.
- COA 13. The subdivider shall file the Final Map in accordance with Section 9-7.303 of the Coalinga Municipal Code and Subdivision Map Act.
- COA 14. Multiple final maps may be filed if the subdivider informs the Community Development Director in writing of his or her intention to file multiple final maps, at the time the tentative map is filed or, if the Community Development Director and the subdivider concur to the filing of multiple final maps after the filing of the tentative map.
- COA 15. The subdivider shall form a Homeowners Association (HOA) at time of Final Map acceptance. Residential Lots 1 through 28 are designated a planned development with private streets. The private streets or outlots shall be designated a common area for use for ingress, egress, surface drainage and public utilities. The common area shall provide for no private street vehicular parking to allow for required fire truck width clearance. All residential sewer, domestic water, natural gas, fire main/fire hydrants within the private street system shall be considered public and shall be included in the homeowners association.
- COA 16. There shall be a covenant placed on lots 1-28 restricting age to 55 years or older in order to ensure the community remains senior living.
- COA 17. A Subdivision Title Guarantee and Preliminary Title Report shall be provided with filing of the Final Map.

- COA 18. No dead-end water mains are permitted. Provide a looped water main system.
- COA 19. The subdivider shall pay all taxes and assessments, past and current including those amounts levied but not billed, on the property prior to the recording of the Final Map. Prior to the filing of the Final Map, the subdivider shall file all statements, certificates and security for taxes and assessments required by Government Code Sec. 66492 and 66493.
- COA 20. Prior to the Final Map approval, the subdivider shall enter into an agreement with the City and provide all bonds or other improvement, payment, monument and warranty security required by Section 9-7.501(g) of the Coalinga Municipal Code and Subdivision Map Act, in the form and amount acceptable to the City. The agreement and improvements security shall ensure completion, at the subdivider's expense, of all improvements for the subdivision required by the City or by City of Coalinga ordinances, codes, and standards applicable at the Time of approval or conditional approval of the tentative map, including without limitation all those improvements described in the Conditions of Approval.
- COA 21. The subdivider shall record at time of Final Map all easements for public utilities.
- COA 22. The provisions of the San Joaquin Valley Air Pollution Control District Rule 8021 shall be complied with during construction. All permits shall be provided to the City Building Department at the time of Building Permit Issuance.
- COA 23. Construction of improvements shall not commence until plans and specifications for such work have been submitted to and approved by the City as part of the tentative map submission.
- COA 24. Construction hours shall be limited to normal working hours. All construction equipment shall be properly maintained and muffled to avoid nuisances to the surrounding or neighboring property owners.
- a. Weekdays from 7:00 a.m. to 6:00 p.m.;
  - b. Saturday from 8:00 a.m. to 5:00 p.m.;
  - c. Sunday and Holidays – no construction allowed unless authorization is granted by the City Manager.
- COA 25. All improvements shall be inspected and approved by the Assistant City Manager or his/her designee. The subdivider shall be responsible for the actions of his contractor. Twenty-four (24) hours minimum notice will be required prior to an inspection by City personnel.
- COA 26. The applicant shall submit a revised/corrected final construction site plan including all conditions of approval for review and approval by the City Engineer and Community Development Director prior to the issuance of a building permit.
- COA 27. The applicant shall comply with all ADA accessibility guidelines, including the following:
- a. Provide an ADA accessible path of travel from the ADA parking stalls to the building entrance(s);



- b. All ADA handicap parking stalls shall be marked and signage provided in accordance with City Standard P-13, P-14 and P-15.
  - c. Provide an ADA accessible path of travel from the public street sidewalk to the building entrances.
- COA 28. All improvements within City rights-of-way, including but not limited to, new sidewalk, curb and gutter, commercial drive approaches and street lighting shall conform to current City of Coalinga Standards.
- COA 29. New utilities, such as sanitary sewer, water meter and/or natural gas meter required for the development will be the responsibility of the owner/developer and shall be to current City Standards. These utility connections shall be located from Phelps Avenue. A utility plan for the development shall be submitted for review and City approval.
- COA 30. All on-site parking lots shall be designed and installed in conformance with City of Coalinga Standard P-16.
- COA 31. **Phelps Avenue Improvements:** repair or replace any damaged or broken curb and gutter along the project frontage per the direction of the City Engineer. provide ac pavement slurry seal along the project frontage and refresh all existing striping and pavement markings along the project frontage. All open trench resurfacing to install utility connections shall be constructed in accordance with City Std. A-1. Construct commercial driveway approaches in accordance with City of Coalinga standards as required by City Engineer.
- COA 32. Street lighting shall be installed along the Phelps Avenue frontage. Street light spacing shall be at 150' maximum. Street lighting shall be type 15 100watt LED Streetlight with 12' mast arms.
- COA 33. Applicant shall install a meandering sidewalk along the project frontage.
- COA 34. Applicant shall install site landscaping along the project frontage. A landscape plan shall be reviewed and approved by the Community Development Department. Landscaping shall include drought resistant landscaping with a combination of trees and shrubs.
- COA 35. Direct drainage of storm water runoff over public sidewalks at driveways not permitted. On-site Storm water runoff shall be directed to the existing on-site storm water pipeline facilities. The on-site storm water pipeline facilities are private. Obtain permission from owner prior to connecting into system. Any on-site drainage system shall be designed with sufficient capacity to convey a 10 year, 24 hour storm event. Hydrologic and Hydraulic calculations shall be submitted to the City Engineer (all Phases). Storm water runoff shall be directed under sidewalks per City Standard A-14 or A-15.
- COA 36. The subdivider shall offer in dedication all necessary easements for drainage, sewer, water and other public utilities as determined by the improvement plans and as approved by the Coalinga Public Works Department.
- COA 37. The subdivider shall provide engineered improvement plans to the City Engineer for review and approval of water, natural gas, wastewater, storm water drainage, site landscaping & irrigation facilities, public street lighting and public street improvements.

- COA 38. Any construction work within the City of Coalinga right-of-way shall be accomplished under an encroachment permit issued by the Public Works Department.
- COA 39. The subdivider shall file a final map application with the Community Development Department in accordance with Section 9-7.303 of the Planning and Zoning Code.
- COA 40. A subdivision tract number shall be obtained from the Fresno County Recorder and shall be shown on the map.
- COA 41. The submitted site plan shall be revised to read Tentative Subdivision Map and parcel letter designations shall be changed to read lot numbers.
- COA 42. The subdivider is responsible to adhering the installation of public improvements in accordance with Section 9-7.501.
- COA 43. The subdivider shall direct storm water runoff to the perimeter public streets. Drainage calculations to be submitted for review and approval by City Engineer.
- COA 44. Owner/Contractor must comply with the Federal Clean Water Act, Section 402(p) and the Phase II Rule regulations under the National Pollutant Discharge Elimination System (NPDES). Since the site grading is one (1) acre, or more, the Owner/Contractor must file a Notice of Intent (NOI) with the State Water Control Board, and submit a Storm Drain Pollution Prevention Plan (SWPPP) to the City of Coalinga, prior to obtaining a Grading Permit.
- COA 45. On-site Construction Site, Grading, Utility and Landscape & Irrigation plans shall be submitted to the Community Development Department for review and approval by City Engineer.
- COA 46. Owner shall provide structural or vegetative Best Management Practices for conveying stormwater within landscape strips or detention ponds prior to discharges to existing storm drainage facilities as required by City Engineer.

## **Planning**

- COA 47. The developer shall prepare a housing layout plan for the 27 lots for review and approval by the Community Development Department prior to final map acceptance.
- COA 48. All security and site lighting shall be shielded to avoid “spill over” nuisance lighting to the existing adjacent uses.
- COA 49. Owner shall provide a 6’ solid masonry block wall for all residences fronting Phelps Avenue.
- COA 50. The trash enclosure as identified on the final site plan shall be designed and installed in conformance with City of Coalinga Standards A-4 and approved by the City Engineer.
- COA 51. All yards shall be fenced in accordance with the planning and zoning code related to heights, setbacks and materials.

- COA 52. The applicant shall submit an application to the Community Development Department for all signage. A permit must be issued by the Planning Department prior to installation.
- COA 53. The applicant shall submit an administrative site plan/plot plan for review, to the planning department, for each new residential unit to be built on the newly created parcels.
- COA 54. The applicant shall provide two (2) 24 inch box trees for each interior residential lot. Additional number of trees shall be required for corner lots as determined by the City Engineer. All trees shall be approved by the City of Coalinga before installation and shall be shown on the landscape plan for each residential plot plan.
- COA 55. Project proponent shall provide varying front yard setbacks with a minimum of 5 foot difference between lots.
- COA 56. The applicant shall provide a declaration of Covenants, Conditions, Restrictions & Easements establishing a plan of common ownership for the parking lot, storm drainage, cross access and fire protection systems for lots 29, 30 and 31.
- COA 57. The development shall provide for side yard entrances (gates) that will accommodate the City's solid waste, green waste and recycling containers.
- a. Developer shall also provide for a concrete walkway from the driveway to the side yard gate for the transportation of the refuse container's

#### **Public Safety**

- COA 58. Dry chemical fire extinguishers to be mounted as per City standards on the exterior of each building.
- COA 59. All turning radiuses shall be able to accommodate fire truck forty (40') feet long.
- COA 60. All on-site fire protection systems including fire hydrant locations shall be approved by the Fire Chief.

#### **Environmental**

- COA 61. The subdivider shall adhere to all the mitigation measures identified in the initial Study and Certified Mitigated Negative Declaration including adhering to the mitigation and monitoring program. The Initial study and mitigated declaration is incorporated by reference and fully enforceable.