



# Kingsburg Planning Commission

1401 Draper Street, Kingsburg, CA 93631

Telephone: 559-897-5328 Fax: 559-897-6558

**AGENDA**  
**KINGSBURG PLANNING COMMISSION**  
**FEBRUARY 10, 2011**  
**600 P.M.**  
**KINGSBURG CITY COUNCIL CHAMBER**  
**1401 DRAPER STREET**

Chairperson  
MERTON PARLIER

Vice Chairperson  
THOMAS HENSLEE

Commission Members  
DONALD WOOLLARD  
BARBARA TAYLOR  
ROBERT JOHNSON  
DR. PAUL KRUPER  
MICHAEL HENENFENT

Planning & Development  
Director  
TERRY SCHMAL

Secretary  
MARY COLBY

1. **Call to order - Reminder for all Commissioners and Staff to speak clearly and loudly into the microphones to ensure that a quality recording is made of tonight's meeting. We ask that all those attending this meeting please turn off pagers and wireless phones.**

**NEXT RESOLUTION 2011-01**

2. **APPROVAL** of the November 18, 2010 and December 9, 2010 joint City Council and Planning Commission minutes as mailed or corrected.
3. **PUBLIC COMMENTS** - Any person may directly address the Commission at this time on any item on the agenda, or on any item that is within the subject matter jurisdiction of the Commission. A maximum of five minutes is allowed for each speaker.
4. **PUBLIC HEARING – TENTATIVE PARCEL MAP – TPM-72 DIVIDING TWO PARCELS INTO FOUR LOCATED AT THE SOUTHWEST CORNER OF 10<sup>TH</sup> AVENUE (ACADEMY) AND KAMM AVENUE. APPLICANT KINGSBURG HOUSING.**
  - A. Presentation by Planning and Development Director Terry Schmal.
  - B. Conduct Public Hearing scheduled for 6:00 P.M.
  - C. Commission discussion/recommendation to City Council.
5. **LOT LINE ADJUSTMENT – LLA-2011-02 TO ADJUST THE LINE BETWEEN TWO PARCELS IN THE 1500 BLOCK OF MARION STREET APN 396-071-18, APPLICANT WAYNE VILLINES REPRESENTATIVE JAMES D SELF.**
  - A. Presentation by City Engineer Dave Peters.
  - B. Commission discussion/recommendation.
  - C. Adopt/Deny/Modify Resolution 2010-\_\_\_\_\_
6. **CONCEPTUAL PRESENTATION FOR DISCUSSION, CONSTRUCTION OF 3 UNITS ON AN EXISTING LOT LOCATED AT 1238 MARION STREET,**

**APPLICANT BOMAN & ASSOCIATES, REPRESENTATIVE GENE GARCIA.**

- A. Presentation by Gene Garcia
- B. Recommendation to applicant.

**7. 2010-2014 REDEVELOPMENT AGENCY IMPLEMENTATION PLAN**

- A. Presentation by City Manager Don Pauley.
- B. Commission discussion/recommendation to City Council.
- C. Adopt/deny/approve resolution 2011-\_\_\_\_\_

**8. SIX MONTH REVIEW OF HOME OCCUPATION HO-2010-05 FOR A WELDING AND FABRICATION BUSINESS LOCATED AT 1821 22<sup>ND</sup> AVENUE AS A CONDITION OF APPROVAL. BUSINESS OWNER RICHARD FREEMAN.**

- A. Presentation by Planning and Development Director Terry Schmal.
- B. Commission discussion.

**9. FUTURE ITEMS**

**10. ADJOURN** to the next regular meeting of the Kingsburg Planning Commission.

**KINGSBURG PLANNING COMMISSION  
REGULAR MEETING  
NOVEMBER 18, 2010**

**Call to order** – At 6:02 PM Chairperson Parlier called the Planning Commission meeting to order.

Chairperson Parlier welcomed the newest Commissioner Michael Henenfent to the Planning Commission.

**Commissioners present** – Commissioner Johnson, Commissioner Henenfent, Commissioner Kruper, and Chairperson Parlier.

**Commissioners Absent** – Commissioner Woollard, Commissioner Henslee and Commissioner Taylor.

**Staff Present** – Planning and Development Director Terry Schmal, Planning Secretary Mary Colby and City Manager Don Pauley.

**Others Present** – Paula Coelho, Chris Rima Jolene Polyack, Maxine Olson, Steve Wiest, Leonard and Judy Pagel.

**APPROVAL** – Commissioner Johnson made a motion, seconded by Commissioner Kruper, to approve the minutes of the October 14, 2010 regular meeting and the October 20, 2010 joint City Council/Planning Commission meeting as mailed. The motion carried by unanimous vote of those Commissioners present.

**PUBLIC COMMENTS** – There were no citizens present who wished to comment at this time.

**SITE PLAN REVIEW SPR 2010-03 FOR THE PLACEMENT OF A MONUMENT SIGN FOR SALAZAR’S GRILL AND BAR AT THE ENTRANCE TO THE K-MART CENTER AT 333 SIERRA STREET, APPLICANT COMMERCIAL NEON, INC, REPRESENTATIVE JEFF TANELIAN.**

Planning and Development Director Terry Schmal showed an aerial with the placement of the proposed sign at the entrance to the K-Mart Shopping Center and a rendering of the approved sign after Architectural Design Review Committee approval. He stated that there is a provision in the ordinance that covers signs with multiple displays on them.

Commissioner Kruper made a motion, seconded by Commissioner Johnson to determine that the project is categorically exempt from review under the California Environmental Quality Act (CEQA) under Section 15303 of the California Code of Regulations, (CEQA Guidelines) the exemption applying to “New construction of limited small new facilities...”, with reference to paragraph e, which applies to accessories structures. The motion carried by unanimous vote of those Commissioners present.

Commissioner Kruper made a motion, seconded by Commissioner Johnson to make the findings required by Section 17.72.050 of the Zoning Ordinance portion of the Kingsburg Municipal Code and adopt Resolution 2010-09 approving Site Plan SPR 2010-03 for a monument sign at the entrance to the shopping center anchored by Kmart, on the north side of Sierra Street east of Rafer Johnson Drive as presented and approved by the Architectural Design Review Committee. The motion carried by unanimous vote of those Commissioners present.

**SITE PLAN REVIEW SPR 2010-04 FOR THE CONVERSION OF A RESIDENCE INTO A BAKERY/CAFÉ LOCATED AT 1537 LINCOLN, BELLA ROSE/PAULA’S CATERING, APPLICANT PAULA COELHO.**

Planning and Development Director Terry Schmal stated that the applicant Paula Coelho is present this evening and proceeded to give a brief description of the location and setup of this proposed business. He stated that the applicant at this time rents a kitchen in Fresno and is looking to establish a commercial kitchen at this location to better serve her clientele. The applicant proposes to make modifications to the garage to use as an entrance to the business and the front door will not be used. There will be paved walkways from the sidewalk in front and from the alley in the back to the entrances on either side of the garage. Mr. Schmal stated that there could be other conditions imposed regarding water and sewer but these are covered in the resolution and checked by the appropriate department.

Planning and Development Director Terry Schmal stated that with the changes made to the Architectural Design Review ordinance this should have been reviewed by the Architectural Design Review Committee, however the applicant was not ready with elevation. He stated that after this is reviewed by the ADRC it will come back to the Planning Commission to have those conditions included in the resolution.

Chairperson Parlier asked the applicant Paula Coelho if staff has adequately presented her proposal. Ms. Coelho stated yes.

Chairperson Parlier stated that a letter has been received from a neighbor with a concern regarding this project. Maxine Olson stated that the problem regarding the parking has been resolved by staff. Michael Henenfent asked about the outdoor dining, Ms. Coelho stated that eventually she would like to set up tables in the back yard. Commissioner Johnson asked if the parking stalls will be improved. Ms. Coelho stated yes.

Commissioner Johnson made a motion seconded by Commissioner Kruper, to determine that the project is categorically exempt from review under the California Environmental Quality Act (CEQA) under section 15303 of the California Code of Regulations, the CEQA Guidelines. The exemption applies to “New Construction or Conversion of Small Structures.” Paragraph c applies an exemption in urban areas to stores, offices, restaurants, and similar uses in a building of less than 2,500 square feet. The motion carried by unanimous vote of those Commissioners present.

Commissioner Kruper made a motion, seconded by Commissioner Johnson to make the findings required by Section 17.72.050 of the Zoning Ordinance portion of the Kingsburg

Municipal Code and adopt Resolution 2010-10 conditionally approving Site Plan SPR 2010-04 Bella Rose/Paula's Catering for a base of operations for a catering business and a bakery, with limited sales of food on-site located at 1537 Lincoln Street. Additional conditions could be imposed as a result of the Architectural Design Review process when reviewed by the ADRC. The motion carried by unanimous vote of those Commissioners present.

**REVIEW RESOLUTION 2010-08 APPROVING WITH CONDITIONS HOME OCCUPATION HO-2010-06 FOR BUSHIDO'S ARMORY LOCATED AT 2511 ERLING WAY.**

Commissioner Johnson made a motion, seconded by Commissioner Kruper to adopt Resolution 2010-08 approving with conditions Home Occupation Permit HO-2010-06 for Bushido Armory as directed by the Planning Commission on October 14, 2010. The motion carried by unanimous vote of those Commissioners present.

**CONCEPTUAL PRESENTATION FOR A 100' X 42' MEETING ROOM LOCATED IN THE KINGSBURG HISTORICAL PARK. APPLICANT KINGSBURG HISTORICAL SOCIETY, REPRESENTATIVE ED MORGAN.**

Planning and Development Director Terry Schmal presented an overhead showing the location of the proposed meeting hall in Historical Park. He stated that when the formal submittal comes back it will be heard as a Conditional Use Permit.

Ed Morgan representative of the Historical Society stated that the pole barn is about to fall down it needs to be taken down and replaced. He stated that the proposed building will hold approximately 240 people and can be used for many different types of events. There will be a full kitchen and handicap accessible restrooms.

After a brief discussion regarding the types of materials that will be used in the construction and parking issues it was the consensus of the Commission that this is a worthwhile project and believes that it is a good idea for the park.

**REVIEW OF SAMPLE ORDINANCES FOR FORMATION OF A HISTORIC PRESERVATION DISTRICT. (HANFORD, VISALIA, DINUBA, PASADENA).**

Commissioner Kruper stated that the concept of a Historic Preservation Ordinance came up when Mr. Wiest presented his views to the Planning Commission and the Joint City Council Planning Commission meeting. He stated that now it needs to be decided whether it would be a worthwhile endeavor to put a Historic Preservation Ordinance in effect and to what extent.

Advantages to having historic preservation ordinance:

- Beautification and increase in property values. This will prevent builders from coming in and tearing down the older homes and putting in box type architecture next to beautiful old homes.
- Prevent incongruous development and preserves architectural integrity

Mr. Kruper went on to say that he is not sure how to gain control of property in order to inform the owner how they can preserve, renovate or remodel their historic home.

Other points discussed:

- Identification of individual properties or sections and mark them for preservation.
- Establish guidelines for preservation and what makes a building historic and worth preserving.
- Who will take on this task, private citizens, ADRC or Planning Commission.
- Not sure how to gain control of property in order to tell the homeowner how they can preserve, renovate remodel their historic home.
- Definition of Historic must be very precise.

Steve Wiest stated that he is surprised that Kingsburg is just beginning to talk about historic preservation since there is so much history and architecture in the City. He stated that there must be a philosophy behind preservation, whether to keep the outside true to the original or if the entire home inside and out must be preserved.

Chairperson Parlier stated that staff has put in an effort to gather information and do we as a commission want to explore more options and take the ordinances and see how they would apply to Kingsburg.

Commissioner Kruper stated that he will attend the next Architectural Design Review Committee meeting to see if they are interested in getting involved.

Maxine Olson stated that has talked to Mark Jots who has many photographs of buildings that are no long around. She stated that it may be a good idea to start with what was important and build a timeline up to the present day.

Commissioner Kruper asked Maxine if she would be opposed to an ordinance stating that she had to preserve her home in its original state. She stated that she would like to preserve it but after she is gone her children may not want to maintain a historic home.

Planning and Development Director Terry Schmal stated that Commissioner Kruper's idea is a good one, meet with the Architectural Design Review Committee first and then if they agree to be involved he will take an staff report to the City Council for approval.

### **EXCLUSIONARY ZONING – HOW IT WORKS AND WHY IT IS USED**

Commissioner Kruper stated this is a conceptual idea to find out if the Planning Commission is interested in pursuing this type of zoning. He stated that this would be useful to restrict certain business from locating anywhere other than the downtown area.

City Manager Don Pauley stated that the City's goal is not to have any empty store fronts downtown. At this time we only have one storefront empty besides two which are being remodeled with the majority of these being service and not retail. He stated that the success of the downtown area is a balance of retail and service; we must have some retail downtown to keep citizens in town after visiting a service related office.

Jolene Polyack stated that the downtown is filled as much as it can be and we would like to see more retail. She stated that we also have tourism going for us which can draw in more people and increase revenue. Kingsburg does not have a lot of room to grow.

City Manager Don Pauley stated that this discussion is somewhat premature since the Zoning Code we are talking about revising will go away when the Form Based Code goes into effect.

Planning and Development Director Terry Schmal stated that we are moving towards a Redevelopment Area including Marion Street which will create revenue to be used in redeveloping the downtown area.

**FUTURE ITEMS** – Open Studio on December 8 from 5 to 7, Joint City Council Planning Commission meeting and Town Hall meeting December 9 from 6 to 7

**ADJOURN** – At 8:00PM the Kingsburg Planning Commission adjourned to the next regular meeting

Submitted by

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Mary Colby  
Planning Secretary

**JOINT CITY COUNCIL AND PLANNING COMMISSION  
DECEMBER 9, 2010**

**Call to order** – At 6:00PM the joint City Council and Planning Commission meeting was called to order.

City Council Present – MS, Councilmember Bergstrom, Councilmember Reilly, DK and Mayor Blayney.

City Council Absent – None

Planning Commissioners present – Commissioner Woollard, PK, Commissioner Henslee, MH, and Chairperson Parlier.

Planning Commissioners absent – Commissioner Johnson.

Staff Present – City Manager Don Pauley, MN, City Engineer Dave Peters, City Clerk Sue Bauch, Planning and Development Director Terry Schmal, and Planning Secretary Mary Colby.

**PUBLIC COMMENTS** – There were no citizens present who wished to comment at this time.

**TOWN HALL PRESENTATION BY GRANT CONSULTANTS ON DRAFT FORM BASED CODE FOR THE CITY OF KINGSBURG.** Stefan Pellegrini from Opticos Design gave a slide show presentation outlining the highlights of the proposed Form Based Code. He stated that we should see the first written draft in about a month and they would return in January for additional public meetings.

**ADJOURN** – At 7:10PM the joint City Council and Planning Commission meeting was adjourned.

Submitted by

Mary Colby  
Planning Secretary



## STAFF REPORT

**TO:** Kingsburg Planning Commission

**FROM:** Terry Schmal, Planning and Development Director

**DATE:** February 10, 2011

**SUBJECT: PUBLIC HEARING, VESTING TENTATIVE PARCEL MAP (TPM) 72  
SOUTH SIDE OF KAMM AVENUE WEST OF ACADEMY AVENUE  
KINGSBURG HOUSING L.L.C./ROSSER**

### Recommendation:

Following a public hearing, take the following separate actions:

1. Determine that the project is categorically exempt from the California Environmental Quality Act (CEQA). Under Section 15315 of the CEQA Guidelines (California Code of Regulations, Title 14, Division 6), minor land divisions are exempt activities. The project meets the conditions listed in the Guidelines because it is in an urbanizing area where farming has ceased, involves four or fewer parcels, conforms to the General Plan and zoning (or in this case, pre-zoning), requires no variances or exceptions, has access to all utilities and public streets, has not been involved in another land division in the past two years, and does not involve a slope of greater than 20 percent.
2. Adopt Resolution 2011-\_\_\_ approving Vesting Tentative Parcel Map (TPM) 72 subject to the listed conditions of approval identified during the Project Review Team meeting held on January 26, 2011.

The Planning Commission has final authority over a tentative parcel map unless its decision is appealed to the City Council. If the tentative map is approved a final map can proceed to action by the City Council. The Council's review would be limited to a determination whether the final map conforms to the tentative map. The Council would also authorize execution of a parcel map agreement that formalizes the tentative map conditions of approval.

### Description:

The proposal is to divide two parcels totaling about 30 acres on the south side of Kamm Avenue west of Academy (10<sup>th</sup>) Avenue into four parcels. Two parcels that add up to slightly less than two acres would be carved out of the larger L-shaped parcel owned by Jerry and Carolyn Rosser. One new parcel would encompass their existing home on Kamm Avenue, and the Rossers would also retain an adjacent parcel for a possible future homesite. The other nearly 28 acres would be owned by Kingsburg Housing LLC. The current property line between the existing L-shaped parcel and the 10-acre parcel to the east would be adjusted westward. That would accommodate a pending 12-acre subdivision at the southwest corner of Kamm and Academy Avenues covered

by Tentative Tract Map 5609. TTM 5609, approved in early 2006, has not expired because of map extensions mandated by the state Legislature.

Recordation of Parcel Map 72 would allow completion of annexation of the affected property to the City of Kingsburg. The Executive Officer of the Local Agency Formation Commission for Fresno County has determined that recordation of such a parcel map would be adequate to satisfy the recorded map condition imposed by the Commission when it approved the annexation in November 2006.

The Kingsburg General Plan land use designation is low-density residential, and the property is pre-zoned R-1-7 (single-family residential use, minimum lot size of 7,000 square feet).

### Discussion

Standard conditions of approval were recommended by the Project Review Team, made up of representatives of various City departments, the Selma-Kingsburg-Fowler County Sanitation District and Consolidated Irrigation District. As is normally the case for existing residences annexed to the City, the Rossers would be able to continue to use their existing water well and septic system so long as they function properly. When they fail, connection to the municipal water and sewer systems will be required, and the connection fees in force at the time will be levied. If construction occurs on the vacant homesite parcel owned by the Rossers, immediate connection to the City water and sewer systems will be required for the new home and all connection and capital facilities fees will apply.

The Rossers will be required to provide for street widening and curb, gutter and sidewalk installation across the frontages of both parcels they will retain. Construction can be deferred until such time as these improvements are installed along Kamm Avenue on the adjacent property. Financial security, such as a bond, will be required during the deferral period to ensure that the improvements on the Rosser parcels will be completed.

Because conditions of approval already apply to TTM 5609, and further mapping or planning processes will be necessary to allow for development of the property south and west of the parcels the Rossers will retain, no conditions were deemed to be necessary that apply to the two larger parcels that will be owned by Kingsburg Housing LLC.

Recording Requested by:  
And When Recorded Mail to:

City of Kingsburg  
1401 Draper Street  
Kingsburg, CA 93631

**RESOLUTION NO. 2011-\_\_\_**  
**A RESOLUTION OF THE PLANNING COMMISSION**  
**OF THE CITY OF KINGSBURG APPROVING**  
**VESTING TENTATIVE PARCEL MAP 72**

**WHEREAS**, the applicants, Kingsburg Housing LLC and Jerry and Carolyn Rosser, have requested the City of Kingsburg consider land division as presented in Vesting Tentative Parcel Map 72; and

**WHEREAS**, the reconfiguration of said parcels will not create a substandard parcel within the zoning district to which the affected property is pre-zoned; and

**WHEREAS**, the proposed land division is in compliance with the City's General Plan;

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Kingsburg hereby approves Vesting Tentative Parcel Map 72 with the following conditions:

1. That all proposals of the applicants be conditions of approval, except as further modified below, and subject to modifications to conform to applicable City Standards.
2. That the applicants pay all fees as required by existing ordinances and schedules.
3. The existing water well can continue to be used for the residence on Parcel 2 until such time as failure occurs that would require a permit to rectify. At that point the well must be abandoned in accordance with state and county standards and the residence must be connected to the City water system, with payment of the connection fees in place at that time.
4. The existing septic system can continue to be used for the residence on Parcel 2 provided a deferment agreement acceptable to the Selma-Kingsburg-Fowler County Sanitation District (S-K-F) is executed. At such time as the septic facilities fail, connection must be made to the municipal sewerage system operated by S-K-F, with payment of then-current connection fees to S-K-F and the City.
5. If a residence is developed on Parcel 3 it must be connected to the municipal sewer and water systems. The new residence will be subject to all connection and capital facilities fees ordinarily levied on new homes. A grading and drainage plan shall be submitted for review and approval by the City Engineer prior to issuance of a building permit.

6. The owners of Parcels 2 and 3 and their successors shall be responsible for widening of Kamm Avenue – and the installation of curbs, gutters and sidewalks – along the frontage of those parcels. That work can be deferred until such time as the same improvements are made along Kamm Avenue on the property to the east, provided a bond or other security is put in place to ensure that the work on Parcels 2 and 3 can be financed in the future.

\* \* \* \* \*

I, Mary Colby, Secretary to the Kingsburg Planning Commission, do hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the Kingsburg Planning Commission held on the 10<sup>th</sup> day of February, 2011, by the following vote:

Ayes:

Noes:

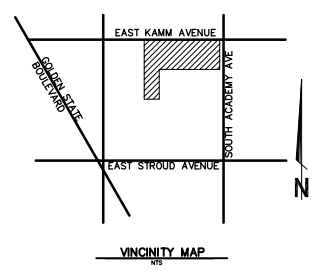
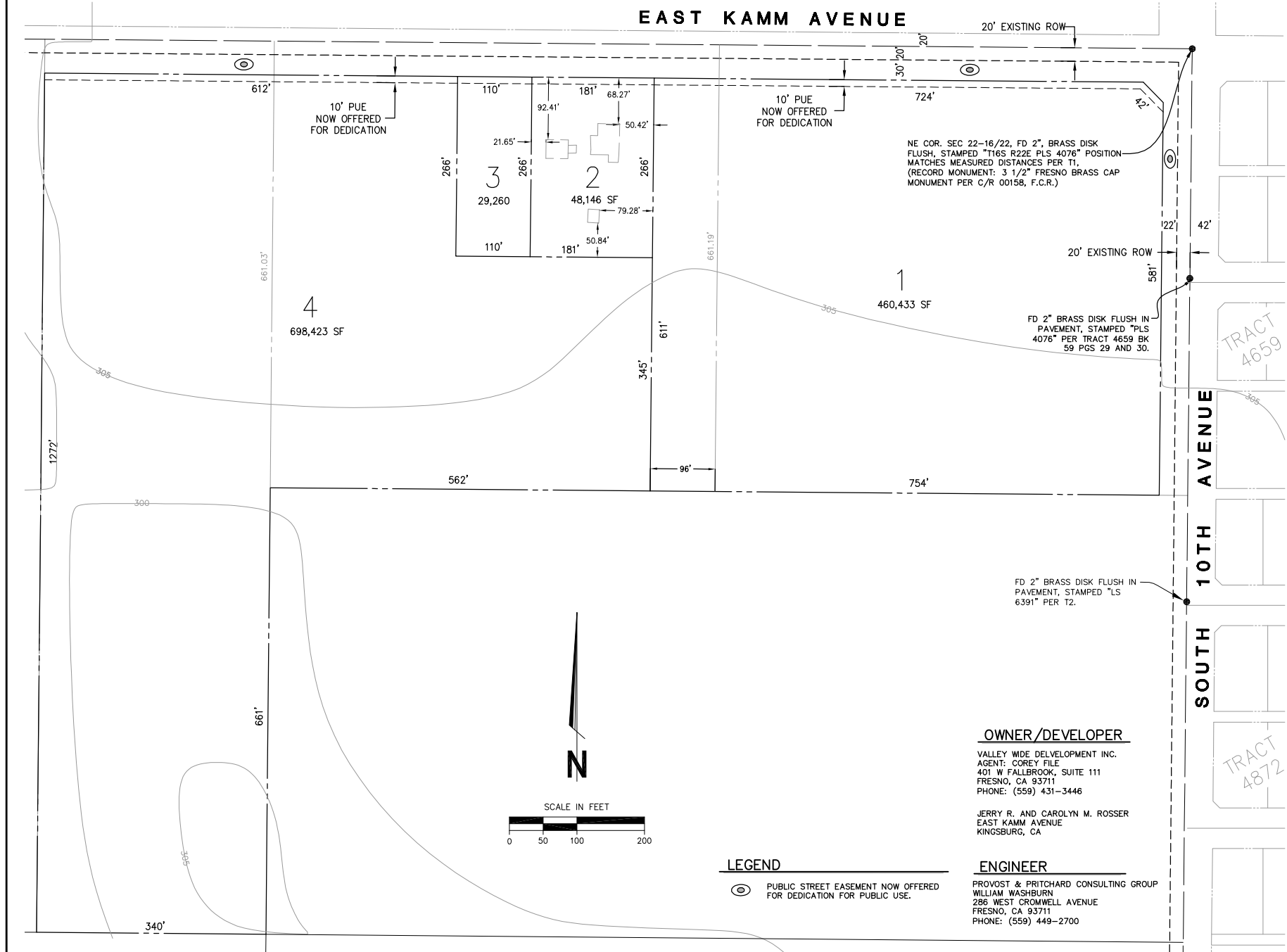
Absent:

Abstain:

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Mary Colby, Secretary  
Kingsburg Planning Commission

# VESTING TENTATIVE PARCEL MAP PARCEL MAP No. 72



**OWNER/DEVELOPER**  
 VALLEY WIDE DEVELOPMENT INC.  
 AGENT: COREY FILE  
 401 W FALLBROOK, SUITE 111  
 FRESNO, CA 93711  
 PHONE: (559) 431-3446

**ENGINEER**  
 PROVOST & PRITCHARD CONSULTING GROUP  
 WILLIAM WASHBURN  
 286 WEST CROMWELL AVENUE  
 FRESNO, CA 93711  
 PHONE: (559) 449-2700

**LEGEND**  
 PUBLIC STREET EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE.

**LEGAL DESCRIPTION**  
 THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 16 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.  
 EXCEPTING THE EASTERLY 700 FEET THEREOF.  
 THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 16 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.  
 THE EAST 700 FEET OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 16 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

**SITE INFORMATION**  
**ASSESSOR'S PARCEL NUMBER**  
 394-021-12 & 13  
**SITE AREA**  
 28.38± AC  
**NUMBER OF LOTS**  
 4

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PRELIMINARY NOT FOR CONSTRUCTION 12/22/2010	TENTATIVE PARCEL MAP
VALLEY WIDE DEVELOPMENT, INC. KAMM ACADEMY CITY OF KINGSBURG FRESNO COUNTY, CALIFORNIA	No. _____ BY _____ DATE _____ REVISION

DESIGN ENGINEER: WILLIAM J. WASHBURN  
 LICENSE NO: 60,332  
 DRAFTED BY: HEB CHECKED BY: WJW  
 SCALE: AS SHOWN  
 DATE: 12/21/2010  
 JOB NO: ###  
 DWG. NO: \_\_\_\_\_  
 SHEET: 1 OF 1

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## MEMORANDUM

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**DATE:** FEBRUARY 1, 2011  
**TO:** PLANNING COMMISSION  
**FROM:** DAVID PETERS, CITY ENGINEER  
**RE:** LOT LINE ADJUSTMENT 2011-01 (LOTS 5 & 6 OFFICIAL MAP OF KINGSBURG)

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### REQUESTED ACTION

Adopt Planning Commission Resolution 2011-\_\_\_\_ granting approval of the proposed lot line adjustment subject to the following conditions:

### DISCUSSION

The applicant, Wayne E. Villines and Christine B. Villines, are proposing to eliminate the Lot Line between Lot 5 and Lot 6 of the Plat of Kingsburg, recorded in Book 3 of Plats at Page 51, Fresno County Records. The Lot Line Adjustment does not propose to create additional parcels. The resultant parcel will conform to the current Zoning Standards, which is CC - Central Commercial District. The purpose of this procedure would result in the current structure on said Lots 5 and 6 to exist on one parcel for improvement, sale, lease, or financing.

The proposed Lot Line Adjustment of Lots 5 and 6 of said Plat of Kingsburg is a portion of Assessor's Parcel Number (APN) 396-071-18. Said APN number consists of Lots 5 through 12, inclusive and the Southeasterly 5 feet of Lot 13. These Lots were created by the above mentioned map and made legal at the time of the recording of said map (*"The filing for record of a final or parcel map by the county recorder shall automatically and finally determine the validity of such map and when recorded shall impart constructive notice thereof"*, Government Code Section 66468). The fact that Lots 5 through 12, inclusive and the Southeasterly 5 feet of Lot 13 of said recorded map are assessed as (1) parcel for tax purposes does not jeopardize their legality as individual lots. *"The function and purpose of the County Assessor is to raise revenue and not to regulate the division of land. See Revenue and Taxation Code Section 128, 401 and 1361 et seq. A County Assessor will quite often combine or renumber parcels for valid reasons entirely separate from the purposes of the Subdivision Map Act. See Section 327 of the Revenue and Taxation Code"* (59 Ops. Cal. Atty. Gen. 581, 1976). There is no further evidence that an official merger was executed, nor was there any evidence that any other Lot Line Adjustment had been performed on the subject land that would alter or remove said Lot Lines. Therefore, the legality of Lots are still intact, and is eligible for a Lot Line Adjustment procedure per *Government Code Section 66412(d)*.

STAFF RECOMMENDATION

Staff recommends adoption of Planning Commission Resolution 2011-\_\_ granting approval of the proposed lot line adjustment subject to the following conditions:

1. Address all redline comments on the Legal Description and Lot Line Adjustment Plat Map.
2. Supply an Updated Preliminary Title Report, current within 90 days of resubmittal.
3. The applicants shall complete a grant deed to affect the transfer of the property.
4. The signatures on the deed document(s) be notarized.
5. The proper legal descriptions be attached for the existing and proposed parcel configurations, signed by a licensed land surveyor.
6. The applicants furnish proof of recordation of the lot line adjustment to the City of Kingsburg, and that no permits be issued for the subject property until such proof is submitted.

Attachment: Lot Line Adjustment Plat and Legal Description redline comments.

Recording Requested by:  
And When Recorded Mail to:

City of Kingsburg  
1401 Draper Street  
Kingsburg, CA 93631

RESOLUTION NO. 2011-\_\_\_\_  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF KINGSBURG APPROVING  
LOT LINE ADJUSTMENT NO. 2011-01

WHEREAS, the applicant, Wayne E. Villines and Christine B. Villines, has requested a lot line adjustment between two parcels known as (Lots 5 and 6 of Plat of Kingsburg); and

WHEREAS, the reconfiguration of said parcels will create a one parcel in compliance with current zoning district (CC-Central Commercial); and

—

NOW, THEREFORE BE IT RESOLVED that:

1. The Planning Commission of the City of Kingsburg hereby approves Lot Line Adjustment No. 2011-01 with the following conditions:
  - a. That the applicants complete a grant deed to affect the transfer of the property.
  - b. That the signatures on the document be notarized.
  - c. That the proper legal descriptions be attached for the existing and proposed parcel configurations, signed by a licensed land surveyor.
  - d. That the applicants furnish proof of recordation of the lot line adjustment to the City, and that no permits be issued for either site until such proof is submitted.

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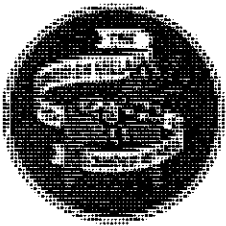
I Mary Colby, Secretary to the Kingsburg Planning Commission, do hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the Kingsburg Planning Commission held on the \_\_\_\_ day of \_\_\_\_\_ 2011, by the following vote:

Ayes:  
Noes:  
Absent:  
Abstain:

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Mary Colby, Secretary  
Kingsburg Planning Commission





City of Kingsburg  
**PLANNING APPLICATION**

City Hall, 1401 Draper Street, Kingsburg, CA 93631  
 (559-897-5328 (559)897-6558) Fax

OFFICE USE ONLY

Date Received: 1-20-11

File No.: LLA-2011-01

Mailing Radius: N/A

Fee: \$400.00

*Paid eb# 8028*

Applicant WAYNE E. VILLINES & CHRISTINE B. VILLINES  
 e-mail address bonnie @ mcmillin lending.com  
 Applicant's Address 39951 NELSON AVENUE  
 City KINGSBURG State CA Zip 93631 Day Phone 559-681-7373  
 Representative JAMES D. SELF  
 e-mail address jdself3998@att.net  
 Representative's Address 1317 W. CENTER AVENUE  
 City VISALIA State CA Zip 93291 Day Phone 559-799-0750  
 Property Owner (if other than applicant) SOME  
 e-mail address \_\_\_\_\_  
 Owner's Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Day Phone \_\_\_\_\_

- Please check all for which you are applying (Separate forms are required for each item):
- Administrative Approval
  - Conditional Use Permit
  - Conceptual Presentation
  - Environmental Assessment
  - General Plan Amendment
  - Lot Line Adjustment
  - Parcel Map
  - Parcel Map Exemption
  - Planned Unit Development
  - Rezone/Prezone
  - Sign Review
  - Site Plan Review
  - Tract Map
  - Variance
  - Zone Change

Please indicate if correspondence is to be sent by Postal service or e-mail to:

Please circle one

Applicant  Representative  Property Owner

Description of Request (attach additional sheet if necessary) ELIMINATE LOT LINE

Project Location 1500 MARION ST, KINGSBURG Current Designation APN 396-071-18

APPLICANT/REPRESENTATIVE: I have reviewed this completed application and the attached material. The information provided is accurate. I understand the city might not approve this request, or might set conditions of approval.

Signed [Signature] Date 1-10-11

PROPERTY OWNER/AUTHORIZED AGENT: I have read this completed application and consent to its filing. (Notarized letter from owner/agent may be required)

Signed [Signature] Date 1-10-11

OFFICE USE ONLY

ROUTE TO: <input type="checkbox"/> Planning Director <input type="checkbox"/> City Engineer <input type="checkbox"/> Public Works <input type="checkbox"/> Public Department	<input type="checkbox"/> Building Official <input type="checkbox"/> ASSE <input type="checkbox"/> Fire Department	RETURN TO: Planning Department Secretary Phone: (559) 897-5325 Fax: (559) 897-6558
--	---	---

Distribution Date \_\_\_\_\_ Received by \_\_\_\_\_ Comments Attached  Yes  No

N.R.U.Q. FORM ATTACHED YES  NO

**EXHIBIT 'A'**

**PARCEL 1:**

That portion of Section 26, Township 16 South, Range 22 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

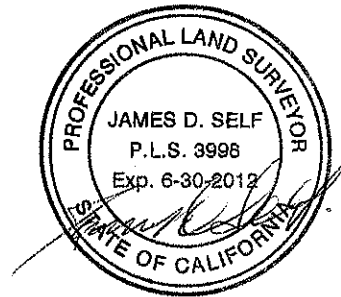
Beginning at the Southwest Corner of Lot 5 in Block G of Kingsburg, in the City of Kingsburg, according to the Map recorded in Book 3, Page 59 of Plats, Fresno County Records; thence North  $89^{\circ}57'05''$  East, along the South line of said Lot 5, a distance of 149.92 feet to the Southeast Corner of said Lot 5; thence North  $00^{\circ}00'38''$  East, along the East line of Lot 5 and Lot 6 of said Map, a distance of 50.03 feet to the Northeast Corner of said Lot 6; thence South  $89^{\circ}57'22''$  West, along the North line of Lot 6 of said Map, a distance of 149.90 feet to the Northwest Corner of said Lot 6; thence South  $00^{\circ}02'01''$  West, along the West line of Lot 5 and Lot 6 of said Map, a distance of 50.04 feet to the Southwest corner of said Lot 5, the True Point of Beginning.

**EXHIBIT 'B'**

**PARCEL 1:**

That portion of Section 26, Township 16 South, Range 22 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

Beginning at the Southwest Corner of Lot 5 in Block G of Kingsburg, in the City of Kingsburg, according to the Map recorded in Book 3, Page 59 of Plats, Fresno County Records; thence North  $89^{\circ}57'05''$  East, along the South line of said Lot 5, a distance of 149.92 feet to the Southeast Corner of said Lot 5; thence North  $00^{\circ}00'38''$  East, along the East line of Lot 5 and Lot 6 of said Map, a distance of 50.03 feet to the Northeast Corner of said Lot 6; thence South  $89^{\circ}57'22''$  West, along the North line of Lot 6 of said Map, a distance of 149.90 feet to the Northwest Corner of said Lot 6; thence South  $00^{\circ}02'01''$  West, along the West line of Lot 5 and Lot 6 of said Map, a distance of 50.04 feet to the Southwest corner of said Lot 5, the True Point of Beginning.



LOT LINE ADJUSTMENT PLAT, EXHIBIT 'A'

**WAYNE AND BONNIE VILLINES**

1520 MARION ST.

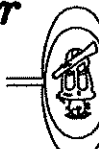
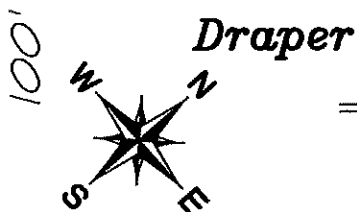
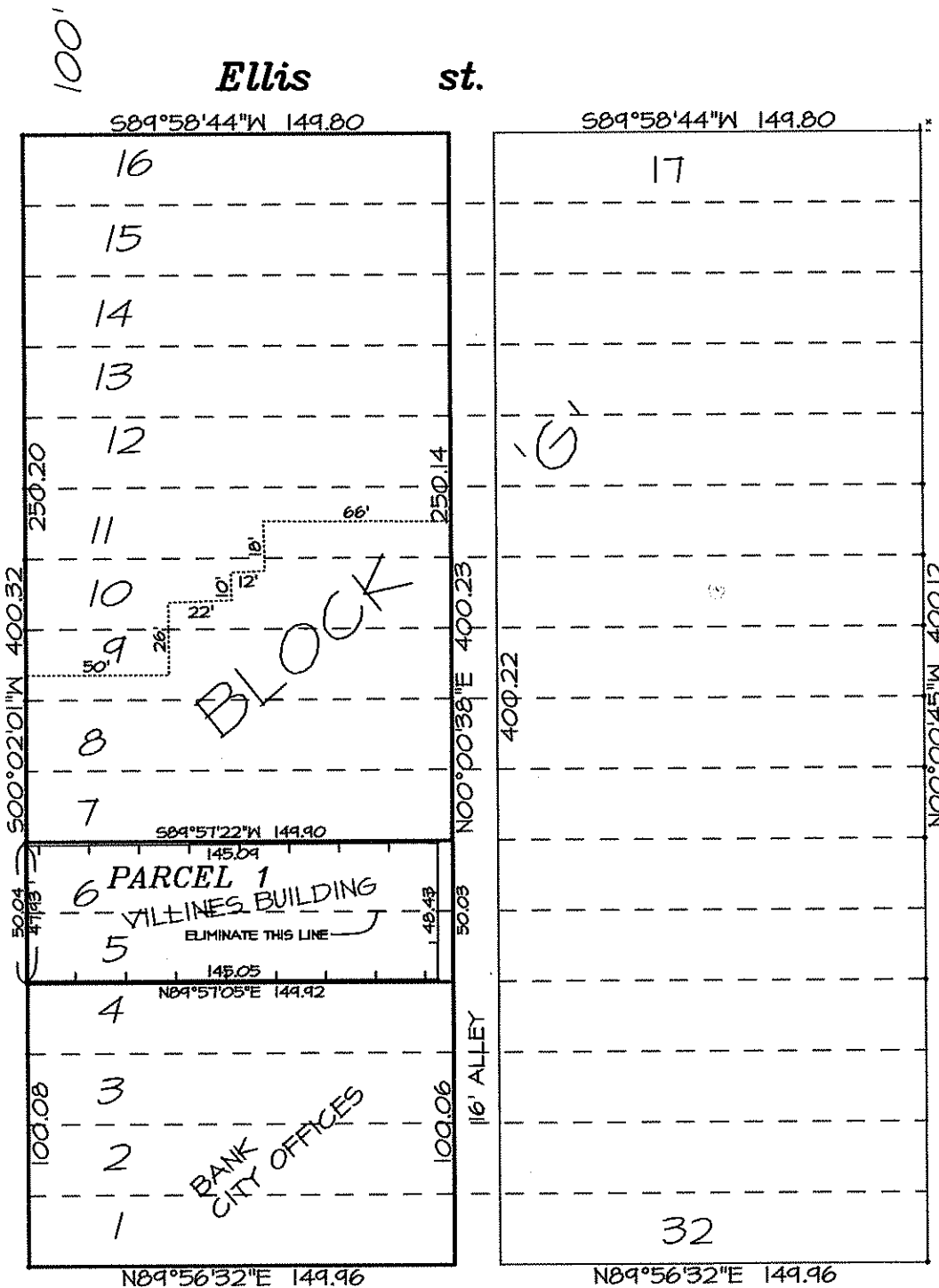
KINGSBURG, CA

APN 396-071-18

Marion st.

Ellis st.

Smith st.



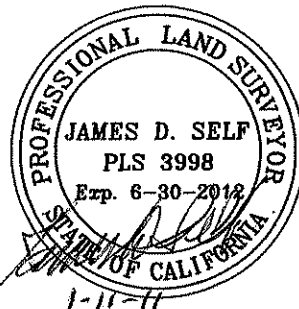
James D. Self - Land Surveyor

1317 W. Center Ave., Visalia, Ca. 93291  
Tel. (559) 733-5762 Fax (559) 733-1788

Graphic Scale



1" = 60'



Job No. 10015LLA

1-11-11

FEE \$400.00  
DATE \_\_\_\_\_  
LLA # \_\_\_\_\_  
MEETING  
DATE \_\_\_\_\_

CITY OF KINGSBURG  
PLANNING DEPARTMENT  
1401 DRAPER STREET

**APPLICATION FOR LOT LINE ADJUSTMENT**

The conveyance of a portion of one's ownership to an adjacent property owner which represents an adjustment of boundaries

The following information must be contained in this application submittal package. No public hearing is required for this application, but must be approved by the Planning Commission.

1. Lot Line Adjustment Application (completed and signed).
2. Legal Descriptions of: a) the parcel(s) of land being transferred, and/or b) the resultant parcel(s) involved.
3. Grant Deed of subject Parcel(s).
4. Preliminary Title Report of subject Parcel(s), updated within 90 days.

PLEASE  
PROVIDE

Along with this application please include (2) copies of a neatly drawn, detailed map showing the proposed transaction (acceptable drawing sizes: 8 1/2"x11"; 11"x17", or 18"x26"). At least one copy of said map must be 8 1/2"x11" or 11"x17". This map must include the following information:

1. The boundary lines, dimensions, and area of the original parcels.
2. The proposed division lines, dimensions, and area of each parcel created, or the proposed change of boundary line.
3. The identification of each parcel with number or letter.
4. All existing buildings, structures, wells, septic tanks and leaching fields within 100 feet of all existing or proposed boundary lines with their major exterior dimensions and distances from boundary lines.
5. The location and widths of any abutting public road right-of-way or private road easements, and the access points to said right-of-way/easements.

PLEASE  
SHOW

6. The locations of any electric, telephone, cable TV or gas facilities.

PLEASE  
SHOW OR  
NOTE

7. The north arrow and scale.



8. A designation of which parcel each person will receive.

9. This application is due four weeks prior to the Planning Commission meeting.

10. Show existing Zoning of the subject Parcel(s).

PLEASE  
NOTE

## ARTICLE 8

### DIVISIONS OF LAND OTHER THAN SUBDIVISIONS

#### SECTION 85-8019

#### LOT LINE ADJUSTMENT

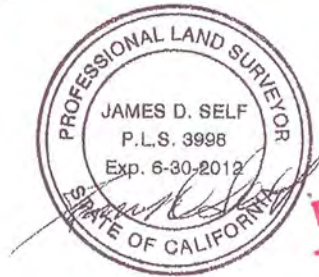
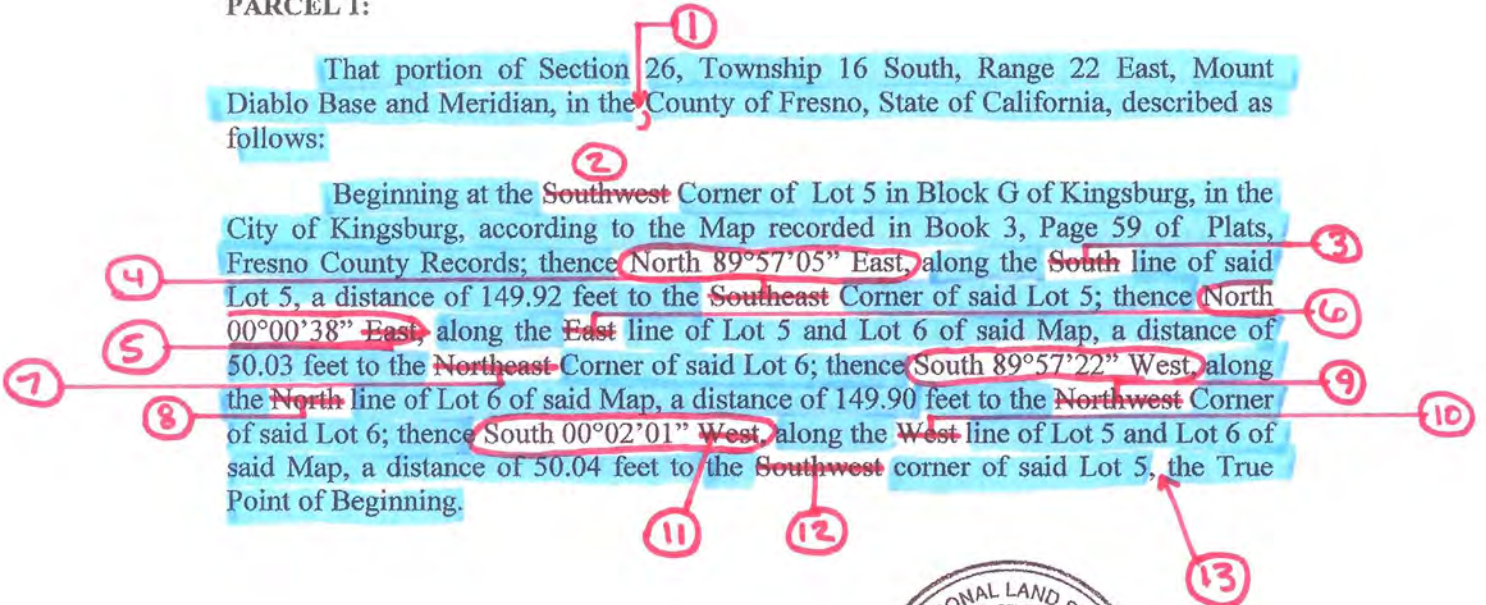
- (a) A lot line adjustment between two (2) or more adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created, provided the lot line adjustment is approved by the Planning Commission following the filing by the subdivider of an application thereof, furnished by the City, and the payment of an application processing fee in a sum as may be established by Council resolution.
- (b) The Planning Commission shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to local zoning and building ordinances.
- (c) The Planning Commission shall not impose conditions or extractions on its approval of a lot line adjustment except to conform to local zoning and building ordinances, or except to facilitate the relocation of existing utilities, infrastructure, or easements.
- (d) No tentative map, parcel map, or final map shall be required as a condition to the approval of a lot line adjustment. The lot line adjustment shall be reflected in a deed. No record of survey shall be required for a lot line adjustment unless required by Section 8762 of the Business and Professions Code or if required under other appropriate circumstances.

EXHIBIT 'B'

PARCEL 1:

That portion of Section 26, Township 16 South, Range 22 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

Beginning at the Southwest Corner of Lot 5 in Block G of Kingsburg, in the City of Kingsburg, according to the Map recorded in Book 3, Page 59 of Plats, Fresno County Records; thence North 89°57'05" East, along the South line of said Lot 5, a distance of 149.92 feet to the Southeast Corner of said Lot 5; thence North 00°00'38" East, along the East line of Lot 5 and Lot 6 of said Map, a distance of 50.03 feet to the Northeast Corner of said Lot 6; thence South 89°57'22" West, along the North line of Lot 6 of said Map, a distance of 149.90 feet to the Northwest Corner of said Lot 6; thence South 00°02'01" West, along the West line of Lot 5 and Lot 6 of said Map, a distance of 50.04 feet to the Southwest corner of said Lot 5, the True Point of Beginning.



DATE

- ① CITY OF KINGSBURG
- ② MOST SOUTHERLY
- ③ SOUTHEASTERLY
- ④ MOST EASTERLY
- ⑤ WEST
- ⑥ NORTHEASTERLY
- ⑦ MOST NORTHERLY
- ⑧ NORTHWESTERLY
- ⑨ MOST WESTERLY
- ⑩ SOUTHWESTERLY
- ⑪ EAST
- ⑫ MOST SOUTHERLY
- ⑬ AND

\* THE BEARINGS SHOWN IN THIS DESCRIPTION SHOULD BE MORE ACCURATE IN RELATION TO TRUE NORTH

EX) N. 89°57'05" E. ≈ N. 48°30'00" E.  
 N. 0°00'38" W. ≈ N. 41°30'00" W.









**Earl St**

**Marion St**

**Gilroy St**

1301

1200

1312

1279

1400

1255

1266

1249

1248

1231

1225

150 deep  
49 wide

1238

1201

1285  
0

1236

1224

1200

0

1101



**DRAFT**

**FIVE YEAR IMPLEMENTATION PLAN**  
**2010-2014**

Redevelopment Agency  
Of the  
City of Kingsburg, California

Prepared for the  
Kingsburg Redevelopment Agency

By

Donald Pauley  
Executive Director  
Kingsburg Redevelopment Agency

## TABLE OF CONTENTS

### INTRODUCTION

Figure 1 Redevelopment Project Area Boundaries

Figure 2 General Plan Land Use Designations for Project Area

### AN HISTORICAL PERSPECTIVE

### THE PROCESS OF PLAN PREPARATION

### SUMMARY OF BLIGHTING CONDITIONS TO BE ADDRESSED

### GOALS AND OBJECTIVES

### REDEVELOPMENT PROJECT ACTIONS DURING 2005-2009

### PROPOSED 2010-2014 REDEVELOPMENT PROJECT ACTIONS

Categories of Possible Action

Actions Anticipated under Various Levels of Attainment

Anticipated Actions

Linkage between Proposed RDA Actions and Elimination of Blight

Projected RDA Revenues/Expenditures over the Five Year Plan

Monitoring and Implementation Plan Amendment

### FOLLOW-UP ISSUES AND PROBLEMS

Table 1 Linkage of Actions to Conditions of Blight

Table 2 Projected Revenues/Expenditures 2010-2014

**2010-2014 IMPLEMENTATION PLAN  
of the  
REDEVELOPMENT AGENCY OF THE CITY OF KINGSBURG**

**INTRODUCTION**

This document fulfills the requirements of Section 33490 of the Community Redevelopment Law of the State of California for the adoption of a plan for the implementation of the City of Kingsburg's Redevelopment Plan every five years. This five-year Implementation Plan (Plan) sets forth what the City's Redevelopment Agency (Agency) hopes to accomplish within the period of January 1, 2010 through December 31, 2014 to overcome conditions of blight within the boundaries of the Redevelopment Project Area as shown on Figure 1.

The Implementation Plan begins with an historical perspective of the Project Area followed by,

- A description of the process used in preparation of the Implementation Plan.
- A summary of blighting conditions to be addressed.
- Goals and objectives designed to assist in eliminating blighting conditions.
- Projects undertaken by the City and Agency during the implementation period of 2005-2009.
- Projects which are proposed in the 2010-2014 Implementation Plan.
- Other issues and problems not eligible for Agency action that might require follow-up during the five year period of implementation.

Adoption of the Implementation Plan does not constitute an approval of any specific project, program, or expenditure described in the Plan and therefore is not a "project" as defined by CEQA requiring environmental documentation. However, subsequent CEQA review may be required when specific projects are implemented.

Periodic public review of progress in carrying out the Implementation Plan at a noticed public hearing is required at least once during the 5-year period of the Plan. Such hearing is required no earlier than two years and no later than three years after adoption of the Implementation Plan. The Plan may also be amended by the Agency to reflect changing conditions and opportunities.

## THE KINGSBURG REDEVELOPMENT AGENCY - AN HISTORICAL PERSPECTIVE

The Kingsburg Redevelopment Agency was created by Ordinance No. 409 as adopted by the City Council on May 3, 1982, and the Redevelopment Plan for the Kingsburg Community Redevelopment Project was adopted under Ordinance No. 415 by the City Council in October, 1983. The boundaries of the Project Area were selected because of the historical conditions which have influenced the emergence of physical and economic blight within the Project Area. Development within the Project Area has been affected adversely by changes to the State Highway 99 alignment prior to 1961, the elevation of Highway 99 to Freeway status in 1961, and the parallel alignment of the Southern Pacific Railroad mainline (now Union Pacific). This combination has contributed to the deterioration and blighting of properties between the railroad and the Freeway. [See summary of blighting conditions below.]

To date, progress in carrying out the City's Redevelopment Plan had been slow to occur and of modest proportions primarily because of conditions of the real estate market which has not supported significant private investment within the Project Area. The progress which has occurred mostly involved highway commercial activities near the Sierra Street/6th Avenue Drive intersection west of the Freeway, including restaurants, the K-mart commercial center, a service station/mini-mart and a motel. New investment within the Project area east of the Freeway along Simpson Street had been limited primarily to several small-scale service commercial uses, a service station/mini-mart and offices at the Draper/Simpson Street intersection. In 2001 the Agency served as the financing source for the redevelopment, expansion and remodeling of an underutilized structure on California Street for use as the headquarters for the Kingsburg Police Department. As a result of these modest gains, the Agency has not accumulated sufficient funds to carry out a meaningful Redevelopment program. It is to be noted that the City shares tax increments with the County under a Memorandum of Understanding (MOU) which further limits the City's tax increments and the State of California has since 2002 transferred tax increment revenues to the Educational Revenue Augmentation Fund (ERAF) and Supplemental Educational Revenue Augmentation Fund (SERAF) to help balance the State's General Fund budget.

Several projects and programs have been started and/or completed during this most recently expired Implementation Plan period that have given renewed focus to opportunities for economic development within the Project Area and City-wide affordable housing

development. They are,

- Housing Rehabilitation - the Agency continues to fund the preparation and processing of housing rehabilitation loan applications by Self-Help Enterprises with approved loans funded by the Fresno County Public Works & Development Services Department, Community Development Division HOME loan grant.
- The City and Agency continue to work with developers and builders on projects that may result in the development of affordable housing as part of mixed use development and an apartment building that includes affordable units.
- The City and Agency are undertaking a Community-Based planning program funded by a grant from CalTrans with an emphasis on pedestrian-friendly and transit-oriented patterns of development in Kingsburg's downtown area adjacent to the Redevelopment Project Area.
- The City has secured title to the Kingsburg Depot from Union Pacific Railroad. This building is one of only two of its kind remaining in the State. The Friends of the Historic Kingsburg Depot, a non-profit organization, has begun the renovation of the building through donations of money, materials and volunteer services. The Agency will fund street, infrastructure and streetscape improvements along California Street adjacent to the Depot.
- The City and the Agency are in the final stages of securing title to 4.8 acres of tax forfeited property on the southwest corner of Sierra Street and Madsen Avenue. The Agency then plans to partner with a qualified developer/manager to develop affordable senior citizen housing on the parcel.
- In cooperation with the cities of Selma and Fowler and Fresno County the development and implementation of a Master Plan for an industrial and commercial corridor along Golden State Boulevard has begun. In April 2003 the cities and County adopted a "Community Vision for the Golden State Corridor" funded by a grant from the Great Valley Center. An effort is currently underway to prepare a Master Plan for the corridor that will lead to the use of Measure C funds to finance the renovation of the corridor in a manner that will encourage economic development, tourism, and alternate modes of transportation.

- Technical and financial assistance in the redevelopment of blighted properties on Simpson Street between Earl and Lewis for automotive repair and boat manufacturing facilities.

### **THE PROCESS OF IMPLEMENTATION PLAN PREPARATION**

The Implementation Plan (Plan) has been prepared in consultation with the City Planning Commission and Economic Development Committee, prior to Plan adoption by the Kingsburg Redevelopment Agency. The role of these bodies has been important because of their considerable knowledge of relevant policies of the City's General Plan and of economic, environmental and blighting conditions which affect potential for future development within the Project Area. Planning priorities previously identified by these bodies remain significant for the City's redevelopment program. They provide appropriate forums for reviewing conditions for change and improvement that should be considered by the Redevelopment Agency in selecting actions during the period of this Plan.

### **SUMMARY OF BLIGHTING CONDITIONS TO BE ADDRESSED**

Much of the physical and economic blight that exists within the boundaries of the Redevelopment Project Area is the result of obsolescence. Residential, commercial and industrial structures and sites located within the redevelopment corridor have become physically and economically obsolete over a period of years while Highway 99 was relocated several times. As each highway relocation occurred land use dependent on the highway for trade became disadvantaged. Some businesses failed while others lost the economic vitality necessary to adequately maintain facilities and be competitive. In some cases, sites that were vacated attracted replacement uses which could subsist with a minimum of economic investment; irregularly-shaped parcels were created, more intensive service commercial and industrial use decreased the attractiveness of the corridor, and access to and from other parts of the community was constrained. Residential use within the corridor became universally blighted by traffic, noise, age and obsolescence of structures, incompatible land use and isolation from other parts of the community. The net result is that much of the remaining obsolete land uses along the corridor continue as a blight on the community as a whole.

Only a small number of blighted residences existed within the corridor in 1983. One remains north of the Draper/Simpson Street intersection and four in the area south of Draper Street. All other blighted housing units have been eliminated or removed by the

property owners, without redevelopment assistance, in order to attract commercial investment.

### **GOALS AND OBJECTIVES OF THE 2010-2014 IMPLEMENTATION PLAN**

The goals and objectives of this Implementation Plan remain the same as for the previous Plans and have their origin in those stated for the Kingsburg Redevelopment Plan.

- To eliminate existing blight and other environmental deficiencies in the Project Area, including, among others, small and irregular lots, incompatible and uneconomic land uses, obsolete and aged buildings, and inadequate and deteriorated public improvements and facilities to facilitate revitalization of the freeway corridor area.
- To improve the quality of the entrances to the community from the freeway.
- To enhance the local economy by the installation of needed site improvements which will stimulate new commercial and industrial development within the corridor.
- The strengthening of retail and other commercial functions in the downtown area.
- The assembly of land into parcels suitable for modern, integrated development, with improved pedestrian and vehicular circulation.
- The planning, design and development of undeveloped areas which are stagnant or improperly utilized.
- The provision of adequate land for parking and open space.
- The establishment and implementation of performance criteria to assure high quality site design standards and environmental quality, and other design elements, which provide unity and integrity to the entire Project Area.
- The rehabilitation and preservation of historic structures.



- The expansion and/or improvement of the supply of housing for low and moderate income persons.

Several important amendments to the General Plan and Zoning Ordinance of the City have been made to foster the attainment of these goals. The General Plan designates the redevelopment corridor for Mixed Use in combination with various underlying basic land use categories. [See Figure 2] The purpose of the mixed use designation is to provide flexibility in selecting uses for the corridor which are consistent with the General Plan, while recognizing the uncertainty of attracting new real estate investment.

The mixed-use concept is reflected in the Zoning Ordinance by a combining zoning district which can be combined with any underlying zoning district to permit the desired flexibility in the review and approval of land use proposals which are consistent with the General Plan. It is to be noted that the mixed use policy does not permit residential development anywhere within the corridor. Thus, in the event that any existing occupied housing units may have to be removed with redevelopment assistance, careful adherence to requirements of the Community Redevelopment Law and the City's Redevelopment Plan for relocation assistance will be required.

The General Plan was also amended by adoption of the Central Business District (CBD) Plan as an element of the General Plan. The CBD Plan encompasses all of the Redevelopment Project Area between Simpson Street and the Freeway and between Draper Street and Sierra Street, and all of the remaining parts of the Project Area that are east of the railroad. However, only a few blocks east of the railroad that are within the CBD are also included in the Project Area.

Design criteria are applied during the Site Plan Review process by the Planning Commission to assure high quality in functional and aesthetic characteristics of new development. Examples include safe and efficient layout of driveways and off-street parking, requirements for site landscaping, limitations on sign design and installation, the prevention of glare, and provision for refuse disposal. Architectural review to reflect the City's Swedish Village theme is also provided by the Architectural Design Review Committee on a track parallel to Site Plan Review by the Planning Commission.

The objectives of the Redevelopment Plan include:

- Participation in the rehabilitation of existing properties and uses;

- Acquisition and packaging of properties to enhance attractiveness for private development;
- Undertaking such on-site and off-site improvements that will facilitate development and redevelopment of properties within the Project Area;
- Attraction of private investment;
- Stimulation of private employment;
- Achieving harmony among adjacent land uses:
- The improvement of visitor attraction; and
- Landscaping of public and private lands.

While the Redevelopment Plan calls for the development of a conceptual plan for the Project Area, the land use patterns sought are those depicted and described by the Kingsburg General Plan, as amended. The most recent update of the General Plan affecting the Project Area was the adoption of the Central Business District Plan in 1999. While the mixed use policy described previously is important, it is a tool of implementation. The basic underlying land use policies propose the following land use arrangements:

- Service commercial along Simpson Street south of Draper Street;
- Retail development along Simpson between Draper and Sierra Street;
- Highway commercial development on either side of the Sierra Street/Freeway 99 interchange;
- Regional commercial and light industrial along Simpson Street and Golden State Boulevard north of Sierra Street;
- Mixed-use residential and commercial along the Marion Street corridor extending south from the Walgreens Commercial Center to Draper Street.

The nature of the redevelopment process suggests that the goals and objectives of the Redevelopment Plan can only be obtained over an extended period of time. Precise land use proposals and site plans cannot be expected until development proposals consistent with the Redevelopment Plan are generated under evolving market conditions which remain in a state of flux particularly during this time of severe economic downturn.

The goals and objectives of the Implementation Plan draw upon those of the Redevelopment Plan as cited above, but provide more specific policy and program direction for the City Council/Redevelopment Agency Board. Operational goals and objectives of the Implementation Plan are as follows:

Operational Goal A - To pursue major economic development projects:

Objective - To cooperate with the cities of Fowler and Selma and Fresno County in developing and implementing a plan for the industrial and commercial corridor (Golden State Boulevard) which connects these cities along the east side of Highway 99.

Objective - To increase local employment opportunities and generate tax revenues to fund needed public infrastructure and amenities within the Project Area and areas adjacent thereto.

Objective - To stimulate economic investment and the removal of blight along the Simpson Street and Marion Street corridors.

Operational Goal B - To promote the rehabilitation of affordable housing:

Objective - To provide low-interest loans and related assistance to low and moderate income owner-occupants of deteriorating housing in areas surrounding the Central Business District.

Operational Goal C - To eliminate remaining sub-standard housing within the Project Area

Objective - To assist in the provision of decent, safe and sanitary housing for rental occupants who require relocation because of displacement by commercial investment.

Operational Goal D - To promote the physical and economic revitalization of the CBD:

Objective - To assist in providing physical amenities and improvements to enhance the economic vitality of the Central Business District as the commercial core of the community, including conversion of remaining structures to reflect the City's Swedish architectural theme, the installation of street furniture, the improvement of alleys, the elimination of non-conforming signs, the installation of landscape amenities and the provision of civic improvements.

#### **REDEVELOPMENT PROJECT ACTIONS DURING 2005-2009**

While the City made important strides in pursuing economic development projects during 2005-2009, the Agency found it difficult to accomplish operational goals and objectives established to promote the rehabilitation of affordable housing and the development of new commercial projects due to the reluctance of investors to commit to investments in projects during this severe economic downturn.

#### **PROPOSED REDEVELOPMENT ACTION 2010-2014**

##### Categories of Possible Action:

The Redevelopment Plan sets forth the following categories of proposed actions which combine with the goals and objectives of the Implementation Plan as described above to provide the framework for actions proposed under this 5-year Implementation Plan:

- [\*]A. Rehabilitation
- [\*]B. Property Acquisition
  - C. Owner Participation and Re-entry Preference
- [\*]D. Cooperation with Public Bodies
  - E. Property Management
  - F. Relocation of Persons Displaced by the Project
- [\*]G. Site Preparation and Improvements
  - H. Improvement of Blighted Structures by the RDA
- [\*]I. Property Disposition and Development

Those categories preceded by an asterisk [\*] are the ones most likely to be involved in some significant way over the 5-year period of Implementation Plan activity.

##### Underlying Assumptions on Levels of Success that may be attained

The proposals outlined below are offered under two assumptions of

success in attracting new investment to the Redevelopment Project Area. The first assumes a continuation of past trends in the redevelopment of property. This represents a realistic view of what can be expected without a serious commitment to the development of land along either Golden State Boulevard or Simpson Street and Marion Street north of Draper Street. The second assumes the start of or commitment to the construction of affordable housing projects City-wide.

### Anticipated Actions

The actions anticipated for success in achieving major private investment within the Project Area over the next five years are listed below. In the event that one or more is not attained, the Agency could modify its expectations and actions consistent with the revenues available to the Agency from tax increments and other sources of funding that may become available.

1. Cooperate with Fresno County and regional economic development efforts in encouraging new commercial and industrial development within and adjacent to the Project Area along the Golden State Corridor.
2. Continue a residential rehabilitation program for older deteriorating housing units within the Project Area and the community at-large.
  - a. Low-interest loans to low and very low income owner-occupants to achieve housing rehabilitation consistent with the requirements of adopted building codes. Funding of the cost of loan processing would be provided by the RDA's 20% low and moderate set-aside of tax increment funds received each year. Loan funds would be provided by Fresno County's HOME program. Based on past experience with the program and local demographics a commitment could not be expected to exceed 8-10 units each year.
3. Continue to assist property owners and developers in financing off-site improvements for new development within the Project Area as opportunities may emerge and financing allows.
4. Amend the Redevelopment Plan to reflect land use, circulation and housing policies of the City's General Plan as may be necessary.
5. Apply new General Plan policy to create a program of inclusionary housing to assure the construction of housing for

Low and Very Low income households as new housing projects are proposed.

6. Assist in the planning and financing of off-site improvements required in support of mixed use development of property along Golden State Boulevard and Simpson Street north of Sierra Street, and/or along Simpson and Marion Streets south of Sierra Street.
7. After completion of the Community-Based planning program, prepare and implement a development plan, marketing strategy, and program for financial assistance to gain significant revitalization of those parts of the Central Business District that are within the Redevelopment Project Area.

#### Linkage between Proposed RDA Actions and the Elimination of Blight

Virtually all of the actions listed above can be linked to the elimination of blight within the Project Area. Even programmatic actions set the stage for later actions that eventually will eliminate conditions of blight. These linkages are shown in Table 1.

#### Projected RDA Revenue that may be Available for Expenditure in Carrying out this 5-Year Implementation Plan including Housing Rehabilitation and Assistance

Projected tax increment revenues that may be available for expenditure to conduct the actions anticipated as being possible over the 5-year period are shown in Table 2. The projected revenues assume a combination of actions that produce at least the revenues experienced over the past few years. Because of major uncertainties in the market for commercial investment within the Project Area, it cannot be assumed that sufficient funding will be available to accomplish or even start all of the actions listed. However, it is reasonable to expect that preliminary steps can be taken in virtually all areas of activity, regardless of the funding available, to extend the process and place the Agency and City in readiness for significant accomplishments in years to come.

The greatest potential for action based on accumulated funds is to undertake an aggressive program for the planning and marketing of commercial development potential, and to utilize existing and projected 20% set-aside funds for programs of housing assistance in the form of rehabilitation and new construction.

## Monitoring and Implementation Plan Amendment

Monitoring of conditions affecting the feasibility of various actions will be required on an annual basis so that the Implementation Plan can be amended as necessary to reflect new conditions or opportunities not now included or assumed as part of the Plan.

### FOLLOW-UP ISSUES AND PROBLEMS

There are no other issues or problems anticipated at this time which are not eligible for RDA action that might need follow-up during the 5-year period of Implementation Plan.

TABLE I

LINKAGE OF ACTIONS TO CONDITIONS OF BLIGHT

PROGRAM ACTIONS	Physical Blight Criteria			Economic Blight Criteria		
	Unsafe	Obsolescence	Incompatible	Depreciated	Obsolescence	Infra-Structure
1. Public agency cooperation	X		X			X
2. Property Acquisition		X			X	X
2. Residential rehabilitation	X	X	X	X	X	X
3. Property owner assistance	X	X	X	X	X	X
4. Redevelopment plan amendments	X	X	X	X	X	X
5. Inclusionary Housing	X	X	X	X	X	X
6. Continue Level #1 actions	X	X	X	X	X	X
7. Mixed use assistance		X	X	X	X	X
8. Marketing strategy for CBD revitalization.	X	X	X	X	X	X



**TABLE 2  
PROJECTED REVENUES/EXPENDITURES, 2010-2014**

PROJECTED PROGRAM REVENUES & EXPENDITURES	June 30, 2009 Fund Balance	Fiscal Year					5 Year Totals Rev/Exp
		2009/10 Rev/Exp	2010/11 Rev/Exp	2011/12 Rev/Exp	2012/13 Rev/Exp	2013/14 Rev/Exp	
Housing Set-Aside	1,313,545	145,187/4,278	147,000/455,000	147,000/555,000	147,000/5,000	147,000/5,000	733,187/102,4278
Debt Service and Capital Projects	223,231	954,429/1,164,749	1,040,000/1,228,912	1,040,000/1,070,000	1,040,000/1,075,000	1040000/1080000	5,114,429/5,618,661
Totals	1,536,776	1,099,616/1,169,027	1,187,000/1,683,912	1,187,000/1,625,000	1,187,000/1,080,000	1,187,000/1,080,000	5,847,616/6,642,939

Notes:

1. Excluding the housing set-aside funds, the tax increments shown are the gross amounts projected to be available for all actions.
2. The balance of funds as of June 30, 2009 should be added to the total revenues in the last column to gain a better view of the total amount that would be available over the five year period under the housing set-aside and other action funds.

Source: Director of Finance, City of Kingsburg

## STAFF REPORT

**TO:** Kingsburg Planning Commission

**FROM:** Terry Schmal, Planning and Development Director

**DATE:** Meeting of February 10, 2011

**SUBJECT: SIX-MONTH REVIEW OF HOME OCCUPATION HO-2010-05  
RICHARD FREEMAN, VAUGHN INDUSTRIES, 1821 22<sup>nd</sup> AVENUE**

### Recommendation:

If literal enforcement of the condition is desired, direct staff to remind the applicant that the conditions of approval for Home Occupation HO-2010-05 require that a fence be erected to shield the south side yard from view. Otherwise, no action appears to be necessary.

### Description:

On June 10, 2010, the Planning Commission conducted a hearing on a proposed home occupation to be conducted at 1821 22<sup>nd</sup> Avenue operated by Richard Freeman and called Vaughn Industries. The hearing was held because of two letters of concern or opposition received from neighbors. This residence is located on the west side of 22<sup>nd</sup> Avenue between Sierra and Riverside Streets.

The applicant reported that his residence would be used as a base of operations for a mobile fabrication and welding business. The business would have no employees, and no deliveries to the home were expected except for an occasional small package from a delivery service. The applicant stated that he would use his personal vehicle to travel to the sites of customers to do jobs, and on rare occasions might complete a small job at his residence. The applicant said no sign would be displayed at his residence and he expected fewer than three customer visits per day.

The home occupation was approved with five conditions, the last of which was that compliance with the conditions and the rules for home occupations be reviewed in six months.

The conditions included in Planning Commission Resolution 2010-05:

1. That fencing shall be installed to screen from view the applicant's side and back yard.
2. That the applicant will only use power tools incidental to the home occupation when necessary and only between the hours of 7 a.m. and 8 p.m.
3. That the applicant will not store any materials used in the home-based business at the front of the residence.
4. There will be no deliveries in trucks which exceed two tons in capacity.

5. That the Planning Commission will review Home Occupation HO-2010-05 in six months from the date of approval.

Discussion:

The Planning Department has received no complaints about Vaughn Industries since the home occupation was granted, and the police and fire departments have had no calls for service in the immediate vicinity of 1821 22<sup>nd</sup> Avenue. A recent drive-by inspection indicates compliance with the conditions and regulations except possibly the first condition dealing with fencing. The back yard is not visible from the street; the shallow side yard on the north side of the house is in lawn; only the side yard south of the house, next to the garage, looks like it might be used by the home occupation and could be subject to screening. It looked as though there might be material scraps and tools there but it was not readily visible from the street because of a pickup parked in the driveway. At the point in time the inspection was made staff did not consider the appearance to be unsightly.