



CITY OF MENDOTA

"Cantaloupe Center Of The World"

JUAN LUNA
Chair
CARLOS QUINTANAR
Vice-Chair
ALBERT ESCOBEDO
MARTIN GAMEZ
JOSHUA GARCIA

CITY OF MENDOTA PLANNING COMMISSION AGENDA

City Council Chambers
Mendota, CA 93640
SPECIAL MEETING
June 8, 2015
6:30 P.M.

VINCE DiMAGGIO
City Manager
MATT FLOOD
Planning & Economic
Development Manager
JEFF O'NEAL
City Planner

The Mendota City Planning Commission welcomes you to its meetings, which are scheduled for the 3rd Tuesday every month. Your interest and participation are encouraged and appreciated. Notice is hereby given that Planning Commissioners may discuss and/or take action on any or all of the items listed on this agenda. **Please turn your cell phone off. Thank you for your respect and consideration.**

Any public writings distributed by the City of Mendota to at least a majority of the Planning Commission regarding any item on this regular meeting agenda will be made available at the front counter at City Hall located at 643 Quince Street Mendota, CA 93640, during normal business hours.

CALL TO ORDER

ROLL CALL

FLAG SALUTE

FINALIZE THE AGENDA

1. Adoption of final Agenda.

MINUTES AND NOTICE OF WAIVING OF READING

1. Approval of the Minutes of the Regular Meeting of May 19, 2015.
2. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

PUBLIC HEARING

1. Public Hearing to adopt **Resolution No. PC 15-04**, approving Application No. 15-04 to authorize construction and operation of a retail parts store at APNs 012-904-21 & -62.
 - a. *Receive report from City Planner O'Neal*
 - b. *Inquiries from Commissioners to staff*
 - c. *Chair Luna opens the public hearing*
 - d. *Once all comment has been received, Chair Luna closes the public hearing*
 - e. *Planning Commission adopts Resolution No. PC 15-04*

2. Public Hearing to adopt **Resolution No. PC 15-05**, recommending that the Mendota City Council approve zoning text amendments to comply with the provisions of California Senate Bill 2. .
 - a. *Receive report from City Planner O'Neal*
 - b. *Inquiries from Commissioners to staff*
 - c. *Chair Luna opens the public hearing*
 - d. *Once all comment has been received, Chair Luna closes the public hearing*
 - e. *Planning Commission adopts Resolution No. PC 15-05*

PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE AGENDA

The public is invited to speak to the Planning Commission at this time about any item that is not on the Agenda. Please limit your comments to five (5) minutes. Please note that the Planning Commission cannot take action on any item not listed on the agenda.

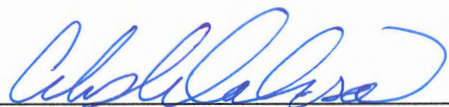
PLANNING DIRECTOR UPDATE

PLANNING COMMISSIONERS' REPORTS

ADJOURNMENT

CERTIFICATION OF POSTING

I, Celeste Cabrera, Deputy City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota Planning Commission Special Meeting of Monday, June 8, 2015 was posted on the outside bulletin board of City Hall, 643 Quince Street on Friday, June 5, 2015 at 3:20 p.m.



Celeste Cabrera, Deputy City Clerk



CITY OF MENDOTA PLANNING COMMISSION MINUTES

Regular Meeting

Tuesday, May 19, 2015

6:30 p.m.

Meeting called to order by Vice-Chairperson Quintanar at 6:30 PM.

Roll Call

Commissioners Present: Vice-Chairperson Carlos Quintanar, Commissioners Albert Escobedo, Joshua Garcia, and Martin Gamez (at 6:36 p.m.).

Commissioners Absent: Chairperson Juan Luna.

Staff Present: Matt Flood, Planning & Economic Development Manager and Celeste Cabrera, Deputy City Clerk.

Flag Salute led by Vice-Chairperson Quintanar.

FINALIZE THE AGENDA

1. Adoption of final Agenda.

A motion was made by Commissioner Escobedo to adopt the agenda, seconded by Commissioner Garcia; unanimously approved (3 ayes, absent: Gamez and Luna).

MINUTES AND NOTICE OF WAIVING OF READING

1. Approval of the Minutes of the Special Meetings of March 10, 2015 and April 7, 2015.

A motion to approve item 1 was made by Commissioner Escobedo, seconded by Commissioner Garcia; unanimously approved (3 ayes, absent: Gamez and Luna).

2. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

A motion to approve item 2 was made by Commissioner Escobedo, seconded by Commissioner Garcia; unanimously approved (3 ayes, absent: Gamez and Luna).

PUBLIC HEARING

1. Public Hearing to consider forwarding a recommendation to the Mendota City Council related to off-site temporary signs.

Vice-Chairperson Quintanar introduced the item and Planning & Economic Development Manager Flood summarized the report including a summary of past City Council and Planning Commission discussions regarding the item; City Council decision to direct staff to draft an Ordinance that allows temporary off-site signs for specific uses; the context of the Ordinance in which section 1 provides a description of an off-site temporary sign and the section 2 creates the process and regulations for permitting an off-site temporary sign (at 6:36 p.m. Commissioner Gamez entered the Council Chambers); and the concerns of allowing off-site signs such as the poor aesthetic that could be created due to poor quality signs and sign deterioration.

Discussion was held on the enforcement of sign regulation and the description of an off-site sign as provided in Section 1 of the ordinance.

At 6:39 p.m. Vice-Chairperson Quintanar opened the hearing to the public and, seeing no one present wishing to comment, closed it within the same minute.

A motion was made by Commissioner Escobedo to forward the Planning Commission recommendation to the City Council to not adopt the Ordinance related to off-site temporary signs, seconded by Commissioner Garcia; unanimously approved (4 ayes, absent: Luna).

PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE AGENDA

None offered

PLANNING DIRECTOR UPDATE

Planning & Economic Development Manager Flood reported on the City's joint effort with the Fresno Council of Governments to update the Housing Element; clarification on the purpose of the Housing Element; the City Council recently establishing the Economic Incentive Zone (EIZ); and the possibility of the Planning Commission creating a scholarship through the Mendota Community Non- Profit organization.

Discussion was held on the purpose of the EIZ; the benefits of establishing the EIZ; the incentives included within the EIZ; the possible ways to fundraise and solicit donations for the Planning Commission scholarship; and Commissioner Quintanar donating his future Planning Commission earnings to the scholarship fund.

PLANNING COMMISSIONERS' REPORTS

No reports.

ADJOURNMENT

At the hour of p.m. with no more business to be brought before the Planning Commission, a motion for adjournment was made by Vice-Chairperson Quintanar, Commissioner Escobedo; unanimously approved (4 ayes, absent: Garcia).

Juan Luna, Chairperson

ATTEST:

Matt Flood, City Clerk

DATE: June 8, 2015

TO: City of Mendota Planning Commission

FROM: Jeffrey O'Neal, AICP
City Planner

SUBJECT: Application No. 15-04, a request for a conditional use permit to authorize construction and operation of a retail auto parts store at the northwest corner of Belmont and Derrick Avenues

Executive Summary

Staff recommends that the Planning Commission adopt Resolution No. PC 15-04, approving a conditional use permit for the construction and operation of a 7,147-square foot AutoZone retail auto parts store at the northwest corner of Belmont and Derrick Avenues.

Background

On May 11, 2015, the City formally accepted Application No. 15-04, which requests authorization for the construction and operation of an AutoZone retail auto parts store within a new structure at the northwest corner of Belmont and Derrick Avenues. This type of use is allowed in the C-2 zone district subject to a conditional use permit.

Owner: Ashmark Limited Partnership

Applicant: Sergio Martinez, Vigen Incorporated

Location: Northwest corner of Belmont and Derrick Avenues; portions of APNs 012-190-21 and -62 corresponding to Parcel 2 of approved Tentative Parcel Map No. 14-01 (no address)

See attached map and photo

Site Size: 50,251± SF (Parcel 2 of approved Tentative Parcel Map No. 14-01)

Zoning: C-2, Community Shopping Center District

General Plan: Community Commercial

Existing Use: Vacant

Adjacent Uses: North – Retail, former supermarket; C-2
East – Retail/offices, supermarket, restaurants; C-3
South – Retail; C-2
West – Vacant and single family residential; C-2 and R-1

Street Access: Belmont Avenue, Derrick Avenue (State Route 33)

Project Proposal & Discussion

The proposed facility would occupy portions of APNs 012-190-21 and -26 that correspond to Parcel 2 of Tentative Parcel Map No. 14-01, which the City Council approved on February 10, 2015. As of this writing, the (final) parcel map has been submitted to the Clerk to the Fresno County Board of Supervisors, who has forwarded it to the Fresno County Auditor for verification of tax compliance. Following that verification, it will be passed to the Fresno County Recorder for examination and recordation. Following recordation, the Assessor's Office will assign new Assessor's Parcel Numbers to each of the six lots created by the parcel map. At present, the entirety of the property covered by the approved parcel map is vacant.

Operation of retail auto parts store is conditionally-permitted in the C-2 zone district.

The proposal would result in the construction of an approximately 7,147-square-foot (SF) store on what will be a 50,251-SF parcel. While Mendota's Zoning Ordinance does not indicate a specific number of spaces required for this type of use, the C-2 zone requires three SF of parking and circulation area per square foot of building area; this would amount to approximately 21,441 SF. The site provides 37 parking spaces (including two ADA-accessible spaces) on approximately 18,227 SF of parking and circulation area. As part of the conditional use permit, the applicant is requesting that the City authorize a reduction in the square-footage of parking, which staff supports. Parking spaces are distributed evenly around the building.

The single-story building would be constructed of masonry. It would have a peak height of approximately 21 feet, which is below the C-2 maximum height of 35 feet. The primary store frontage, including the main entrance/exit, would face Derrick Avenue, with abundant window area. A secondary entry/exit faces north.

The store would sell automobile and light truck parts and accessories along with related items such as washes, waxes, and chemicals (oil, grease, etc). No installation or other services are provided, although the facility would receive used oil and lead-acid batteries. These items would be stored, handled, and disposed of in accordance with applicable regulations. The store would operate from 8:00 AM until 10:00 PM seven days per week. It is expected to employ between 10 and 15 full- and/or part-time employees, depending upon realized volume of sales. The maximum number of employees per shift would be six (6) which would occur primarily on Saturdays. Deliveries are generally expected to occur once per week, and a loading area is provided at the rear of the building. A trash enclosure will be provided, with waste hauling coordinated between the operator and Mid Valley Disposal.

Access onto the site would be via both Derrick and Belmont Avenues and accommodated in part through the use of a cross-access agreement, which allows persons (employees, customers, delivery personnel, etc.) to enter onto others' property for the purposes of conducting their respective businesses. Each street has one existing drive approach that may ultimately be utilized by any persons or businesses operating on the overall site. As part of this application, AutoZone proposes to construct a second access location to Derrick Avenue (State Route 33). However, as indicated in the attached letter of review from the California Department of Transportation (Caltrans), such a driveway would not meet Caltrans' standards for driveway separation due to its proximity to the existing Derrick Avenue approach. Accordingly, Caltrans would not issue an encroachment permit to authorize the construction of the AutoZone drive approach.

Further discussions with Caltrans resulted in clarification that the minimum distance between drive approaches in this location is 240 feet rather than 300 feet. As a result, moving the proposed driveway north approximately 20 feet would create appropriate separation. However, there is also an existing drive approach located approximately 176 feet north of the proposed AutoZone site. It may be possible through some means to coordinate the closure of that existing approach, which would remove all separation conflicts related to development of the parcel map area. Staff believes that, while Caltrans will enforce its own permitting requirements, there is a solution to this situation that will allow all affected parties to benefit. Staff recommends that the Planning Commission require relocation of the proposed driveway approximately 20 feet north and authorize staff to approve resultant modifications to the site plan that may result from further discussions with the applicant and Caltrans related to this specific situation.

On a related note, the ultimate right-of-way width for this segment of Derrick Avenue is 110 feet, or 55 feet to each side of the centerline. Currently, the west half of the street (including sidewalk, etc.) has been constructed at 30 feet west of the centerline. Caltrans is not requesting or requiring that the additional 25 feet be dedicated at this time, but that it be “reserved” (i.e. not built on).

The facility would connect to the existing water and sewer lines in Derrick Avenue and/or Belmont Ave as determined during review of design drawings. It would have separate cross-connection prevention devices for the indoor water system and for the irrigation system.

Both street frontages have been recently improved, including sidewalk, curb, and gutter. The applicant proposes additional onsite landscaping in the form of treatment of the parking areas and the installation of a large grass area with trees along the Naples Street frontage. Further, the project proposes to install two covered decorative structures in this grass area. This improved area will not be used for banquet activities (i.e. no outdoor eating, dancing, etc.), but rather is intended to serve as a scenic location for outdoor event photographs. At such time as the applicants propose to construct these outdoor structures, they will be subject to review by the Planning Department and the Building Department.

The applicant will be responsible for payment of development impacts fees, which will be reduced by 50% as a result of the City’s recently-enacted Economic Incentive Zone.

The proposal, with conditions, is consistent with the C-2 zoning district.

Environmental Assessment

The first step in complying with the California Environment Quality Act is to determine whether the activity in question constitutes a “project” as defined in CEQA. The second step is to determine whether the project is subject to or exempt from the statute. This proposal does qualify as a project under CEQA, as it requires a discretionary action on the part of the City. Tentative Parcel Map No. 14-01 and reasonably-foreseeable development that might result from it were subject to environmental review pursuant to the California Environmental Quality Act (CEQA). On February 10, 2015, the City Council adopted a mitigated negative declaration, indicating that with mitigation, the tentative parcel map and resultant development would not result in a significant impact to the environment (Resolution No. 15-10, attached to and incorporated as Attachment A to current Planning Commission Resolution No. PC 15-04). The development proposed within Application No. 15-04 falls within the scope of the aforementioned environmental review, and as such no further review is necessary.

Planning Commission Findings

Section 17.08.050 of the Mendota Municipal Code requires that the following findings be made prior to approval of a conditional use permit:

FINDING No. 1: THAT THE SITE FOR THE PROPOSED USE IS ADEQUATE IN SIZE AND SHAPE TO ACCOMMODATE SUCH USE AND ALL YARDS, SPACES, WALLS AND FENCES, PARKING, LOADING, LANDSCAPING, AND OTHER FEATURES REQUIRED BY THIS CHAPTER TO ADJUST SUCH USE WITH THE LAND AND USES IN THE NEIGHBORHOOD.

Staff believes that the proposed use is compatible with the surrounding uses, most of which are commercial, service, or office-related. The project will comply with C-2 development standards and City of Mendota public improvement standards.

FINDING No. 2: THAT THE SITE FOR THE PROPOSED USE RELATES TO STREETS AND HIGHWAYS ADEQUATE IN WIDTH AND PAVEMENT TYPE TO CARRY THE QUANTITY AND KIND OF TRAFFIC GENERATED BY THE PROPOSED USE.

The site is situated at one of the City's primary commercial intersections, consisting of two arterial streets, one of which is a State Route. As such, frequent vehicle trips are anticipated on the two streets and at the intersection itself. Further, the intersection of Belmont and Derrick Avenues was recently improved, including widening, new lane striping, signalization, and installation of curb, gutter, and sidewalk. The streets and intersection are in prime operating condition.

FINDING No. 3: THAT THE PROPOSED USE WILL HAVE NO ADVERSE EFFECT ON ABUTTING PROPERTY OR THE PERMITTED USE THEREOF.

Operation of the facility will not impact nearby uses, as it is substantially surrounded by existing and planned commercial uses, and separated by several hundred feet from the nearest residences. Activities will be limited to the interior of the facility, which will be insulated to reduce or prevent the escape of possible nuisance noise.

FINDING No. 4: THAT THE CONDITIONS STATED IN THE RESOLUTION ARE DEEMED NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE.

The conditions of approval will serve to accommodate the proposed use while protecting the health, safety, and welfare of the public. Conditions of approval are based upon standards contained within the Mendota General Plan and the Mendota Municipal Code, and upon precedent established through review and approval of similar projects. Further, the proposed conditions will serve to implement the goals and objectives of the General Plan, which itself is intended to provide for logical and orderly development of the City in a manner beneficial to its residents.

Recommendation

It is recommended that the Mendota Planning Commission adopt Resolution No. PC 15-04, approving Application No. 15-04, subject to the following conditions of approval:

Note: As used herein, the terms "owner", "applicant", and "operator" are used interchangeably excepting where the word "owner" is indicated in ***bold italics***. In those cases, the condition of approval is specific to the owner-in-fee of the real property in question.

General

1. The conditions of approval contained within City Council Resolution No. 15-11, incorporated herein as **Attachment B**, shall remain in full force and effect as related to this project unless expressly superseded herein.
2. The conditional use permit detailed within Application No. 15-04 shall expire one (1) year following the date of its approval unless, prior to expiration, a building permit for the

requested site modifications is issued by the City of Mendota and construction is commenced and being diligently pursued.

3. The primary use and the site shall conform to all applicable City codes for the C-2 district.
4. The owner/operator of the facility shall be responsible for the ongoing and long-term maintenance of required improvements and landscaping, including sidewalk, curb, gutter, and planter strip landscaping pursuant to CA Streets and Highways Code §§5600-5630, to ensure that nuisance complaints are not received by the City.
5. Construction drawings (Building and Improvement Plans; site, grading, irrigation, and landscaping) shall be submitted to the Building Department and to the City Engineer for review and approval. A building permit, including payment of applicable fees, shall be acquired prior to start of any construction activities.
6. Any work within the City of Mendota public right-of-way shall require an encroachment permit, including payment of all associated fees.
7. Prior to issuance of a certificate of occupancy, all conditions of approval shall be verified as complete by the Planning Department. Any discrepancy or difference in interpretation of the conditions between the owner/applicant and the Planning Department shall be subject to review and determination by the Planning Commission.
8. The project shall comply with the attached letter of review from the San Joaquin Valley Air Pollution Control District dated January 16, 2015.
9. The applicant shall consult with and comply with the requirements of the Fresno County Fire Protection District/CalFire.
10. The applicant shall comply with the attached letter of review from the California Department of Transportation (Caltrans) letter of review dated June 2, 2015, including payment of \$2,668 for fair-share traffic impact fees. The Planning Commission authorizes City staff to continue discussions with Caltrans and the applicant related to the location of the proposed drive approach, to make applicable modifications to this condition of approval, and to approve modifications to the approved site plan as a result of those discussions.
11. Prior to any construction within the State Route 33 (Derrick Avenue) right-of-way, the **owner** shall acquire an encroachment permit from Caltrans, including payment of all associated fees.
12. Upon any change of ownership of the subject property, the new **owner(s)** shall acquire an encroachment permit from Caltrans authorizing access to and from State Route 33, including payment of all associated fees. Caltrans encroachment permitting requirements do not run with the land.

Note: Any subsequent **owner** of the subject property must acquire an encroachment permit from Caltrans in order to lawfully utilize access points to and from State Route 33 or to construct new access points

13. Prior to operation, the **owner** shall provide evidence to the satisfaction of the City Planner that an irrevocable covenant or easement addressing cross-access and cross-drainage has been recorded with the Fresno County Recorder.
14. Prior to operation, all conditions of approval shall be verified as complete by the Planning Department, and any and all outstanding fees shall have been paid. Any discrepancy or difference in interpretation of the conditions between the owner/applicant/operator and the Planning Department shall be subject to review and determination by the Planning Commission.

Site & Buildings

15. Development of the project site shall be in substantial conformance with the attached site plan drawings C1.0 (April 1, 2015), PS2 (March 25, 2015), and L-1 (February 29, 2015) and the attached operational statement. The City Planner shall determine the extent to which incremental or minor changes to the site plan illustrations and/or operational statement meet this requirement.
16. Following any changes made to the site plan as a result of these conditions or other commentary, correspondence, or official requirement, and prior to issuance of a certificate of occupancy, the applicant shall submit a copy of the final site plan to the Planning Department for inclusion in the project file.
17. The site is authorized to provide area for parking and circulation at a ratio of less than three (3) square feet of area per one (1) square foot of building size. The facility shall provide a minimum of thirty (30) parking spaces, of which two (2) shall be dedicated as ADA-accessible spaces, including one (1) van-accessible space. The site plan dated April 14, 2014 indicates a total of thirty-seven (37) onsite spaces, of which two (2) are ADA-accessible.
18. The owner shall maintain two (2) vehicular access points to the parking facilities.
19. Fencing shall comply with MMC §17.60.050(H). Fencing material shall be subject to approval by the Community Development Department.
20. Masonry wall construction shall comply with City of Mendota Standard Drawing Nos. M-6 and M-7.
21. The applicant shall coordinate with Mid Valley Disposal to establish necessary solid waste procedures. Construction of the trash enclosure shall comply with City of Mendota Standard Drawing No. M-12.
22. The owner/applicant shall comply with all relevant components of the California Building Code and associated trade codes, including but not limited to issues related to restroom facilities, building occupancy limits, and fire prevention and safety.
23. All signage must be approved pursuant to the standards and guidelines of the Mendota Municipal Code prior to installation.

24. The applicant shall provide a lighting plan for the review and approval of the City Engineer. All exterior lights shall be shielded or otherwise oriented to prevent disturbance to surrounding or neighboring properties or traffic on Naples and 3rd Streets and the adjacent alley.
25. The project water supply shall be taken from the existing 6-inch water main in the abutting alley. The connection shall be made in accordance with City of Mendota standards and shall be coordinated with the Director of Public Utilities.
26. The applicant shall comply with the City of Mendota Potable Water Protection Regulations contained within Mendota Municipal Code §13.24. Consistent with these regulations one or more backflow prevention devices may be required.
27. The project sanitary sewer service shall be connected to existing 15-inch sewer line in the abutting alley. The connection shall be made in accordance with City of Mendota standards and shall be coordinated with the Director of Public Utilities.
28. The applicant shall provide an irrigation plan for the review and approval of the City Engineer.
29. The applicant shall provide a grading plan prepared by a CA-licensed civil engineer for the review and approval of the City Engineer.

Operations

30. The operator of the business shall acquire and maintain a valid City of Mendota business license, including compliance with any pertinent regulatory agency requirements pursuant to MMC §5.04.025.
31. The hours of operation shall be between 8:00 AM and 10:00 PM, Sunday through Saturday. This condition may be modified pursuant to the provisions of MMC §17.08.050(H).
32. Activities shall occur entirely within the associated structure. They shall not encroach into the adjacent parking area, into the City or Caltrans right-of-way, or adjacent properties or structures. If the operator permits use of tobacco products on the site, an ash urn or similar device shall be provided outside the building.
33. The operation shall be subject to the City of Mendota Noise Ordinance, except that operation of the facility pursuant to the conditions contained herein shall not require a separate permit for amplified music within the facility. Amplified music shall not be permitted outside of the main building. The applicant shall install and maintain, subject to the discretion of the Building Department, interior materials intended to reduce the amount of sound audible outside of the primary building.

Fees

34. All Planning, Engineering, Building, and Development Impact Fees and costs shall be paid in full to the City prior to issuance of any building permit.
35. The project site is situated within the Economic Incentive Zone. For development of greater than 2,000 square feet, development impact fees are reduced by fifty (50) percent. The

applicant shall pay to the City of Mendota development impact fees consistent with the City's current Development Impact Fee Schedule reduced by fifty percent as detailed herein:

CITY OF MENDOTA					
APPLICATION No. 15-04 DEVELOPMENT IMPACT FEES					
Reduced by 50% within Economic Incentive Zone					
Fee	Unit Type	Units	Fee per Unit	Subtotal	50% Reduced Total
City Management and General Services	SF	7147	\$0.120	\$857.64	\$428.82
Law Enforcement	SF	7147	\$0.325	\$2,322.78	\$1,161.39
Fire Protection	SF	7147	\$0.397	\$2,837.36	\$1,418.68
Storm Drainage	AC	1.16	\$7,814.28	\$9,064.56	\$4,532.28
Water Supply & Treatment	EDU	1	\$2,350.30	\$2,350.30	\$1,175.15
Wastewater & Treatment	EDU	1	\$1,947.56	\$1,947.56	\$973.78
Traffic Impact	SF	7147	\$1.022	\$7,304.23	\$3,652.12
Recreational Facilities ¹	n/a	n/a	n/a	n/a	n/a
Water Connection Charges ²	Connection	TBD	TBD	TBD	TBD
Sewer Connection Charges ²	Connection	TBD	TBD	TBD	TBD
South Side Sewer Interceptor ³	EDU	n/a	n/a	n/a	n/a
West Side Sewer Interceptor ³	EDU	n/a	n/a	n/a	n/a
Total				\$26,684.43	\$13,342.22

¹ This fee is not applicable to commercial or industrial development.

² Water and Sewer Connection Charges to be determined as construction drawings are developed.

³ The project site is not within the Zone of Benefit of either sewer interceptor.

Staff Further Recommends:

1. That the Planning Commission Chair request a report from staff, and ask for any clarification as needed by the Commission;
2. That the Chair open a public hearing, requesting any public comments in favor of, opposed to, or otherwise regarding the proposed project. Upon conclusion of testimony, ask the Commission for a consensus that sufficient information has been obtain to close the public portion of the hearing. The Chair may then close the public hearing.
3. That the Chair ask the Commission for action on the application. The Commission may then render a decision based on the merits of the proposal, staff comments, and any public testimony received. A resolution containing the conditions of approval is attached.

**PLANNING COMMISSION
OF THE CITY OF MENDOTA
FRESNO COUNTY, CALIFORNIA**

RESOLUTION No. PC 15-04

**A RESOLUTION OF THE CITY OF MENDOTA PLANNING COMMISSION APPROVING
APPLICATION No. 15-04 TO AUTHORIZE CONSTRUCTION AND OPERATION OF A RETAIL AUTO PARTS
STORE AT THE NORTHWEST CORNER OF BELMONT AND DERRICK AVENUES (APNs 012-904-21 & -62)**

WHEREAS, at a special meeting on June 8, 2015, the Mendota Planning Commission did conduct a public hearing to consider Application No. 15-04, submitted by Sergio Martinez; and

WHEREAS, the applicant proposes to construct and operate a retail auto parts store in a 7,146-square-foot structure at the northwest corner of Belmont and Derrick Avenues on portions of Assessor's Parcel Numbers 012-190-21 and -62, said portions corresponding with Parcel 2 of approved Tentative Parcel Map No. 14-01; and

WHEREAS, the project site is currently designated by the City of Mendota 2005-2025 General Plan Land Use Element as Community Commercial and zoned by the City of Mendota Official Zoning Map as C-2 Community Shopping Center District; and

WHEREAS, the proposed use is conditionally-permitted within the C-2 zone district; and

WHEREAS, a notice of public hearing was placed in the May 29, 2015 edition of *The Business Journal*, similar notices were individually mailed to property owners within 300 feet of the project site consistent with the requirements of California Government Code §§65090 and 65091, and a copy of the notice was posted on the Mendota City Hall bulletin window; and

WHEREAS, the Planning Commission has determined that the proposed project is adequately addressed by the initial study and mitigated negative declaration adopted in conjunction with the City Council approval of Tentative Parcel Map No. 14-01, and thus no further environmental review is required; and

WHEREAS, the Planning Commission made the following findings pursuant to the proposed Section 17.84.050 of the Mendota Municipal Code:

1. The site for the proposed use is adequate in size and shape to accommodate such use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required to adjust such use with the land and uses in the neighborhood;
2. The site for the proposed use related to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
3. The proposed use will have no adverse effect on abutting property or the permitted use thereof; and
4. The conditions of approval stated in the resolution are necessary to protect the public health, safety, and general welfare.

NOW, THEREFORE BE IT RESOLVED that the Mendota Planning Commission does hereby approve the conditional use permit proposed within Application No. 15-04, subject to the following conditions of approval:

Note: As used herein, the terms “owner”, “applicant”, and “operator” are used interchangeably excepting where the word “owner” is indicated in ***bold italics***. In those cases, the condition of approval is specific to the owner-in-fee of the real property in question.

General

1. The conditions of approval contained within City Council Resolution No. 15-11, incorporated herein as **Attachment B**, shall remain in full force and effect as related to this project unless expressly superseded herein.
2. The conditional use permit detailed within Application No. 15-04 shall expire one (1) year following the date of its approval unless, prior to expiration, a building permit for the requested site modifications is issued by the City of Mendota and construction is commenced and being diligently pursued.
3. The primary use and the site shall conform to all applicable City codes for the C-2 district.
4. The owner/operator of the facility shall be responsible for the ongoing and long-term maintenance of required improvements and landscaping, including sidewalk, curb, gutter, and planter strip landscaping pursuant to CA Streets and Highways Code §§5600-5630, to ensure that nuisance complaints are not received by the City.
5. Construction drawings (Building and Improvement Plans; site, grading, irrigation, and landscaping) shall be submitted to the Building Department and to the City Engineer for review and approval. A building permit, including payment of applicable fees, shall be acquired prior to start of any construction activities.
6. Any work within the City of Mendota public right-of-way shall require an encroachment permit, including payment of all associated fees.
7. Prior to issuance of a certificate of occupancy, all conditions of approval shall be verified as complete by the Planning Department. Any discrepancy or difference in interpretation of the conditions between the owner/applicant and the Planning Department shall be subject to review and determination by the Planning Commission.
8. The project shall comply with the attached letter of review from the San Joaquin Valley Air Pollution Control District dated January 16, 2015.
9. The applicant shall consult with and comply with the requirements of the Fresno County Fire Protection District/CalFire.
10. The applicant shall comply with the attached letter of review from the California Department of Transportation (Caltrans) letter of review dated June 2, 2015, including payment of \$2,668 for fair-share traffic impact fees. The Planning Commission authorizes City staff to continue discussions with Caltrans and the applicant related to the location of the proposed drive

approach, to make applicable modifications to this condition of approval, and to approve modifications to the approved site plan as a result of those discussions.

11. Prior to any construction within the State Route 33 (Derrick Avenue) right-of-way, the **owner** shall acquire an encroachment permit from Caltrans, including payment of all associated fees.
12. Upon any change of ownership of the subject property, the new **owner(s)** shall acquire an encroachment permit from Caltrans authorizing access to and from State Route 33, including payment of all associated fees. Caltrans encroachment permitting requirements do not run with the land.

Note: Any subsequent **owner** of the subject property must acquire an encroachment permit from Caltrans in order to lawfully utilize access points to and from State Route 33 or to construct new access points

13. Prior to operation, the **owner** shall provide evidence to the satisfaction of the City Planner that an irrevocable covenant or easement addressing cross-access and cross-drainage has been recorded with the Fresno County Recorder.
14. Prior to operation, all conditions of approval shall be verified as complete by the Planning Department, and any and all outstanding fees shall have been paid. Any discrepancy or difference in interpretation of the conditions between the owner/applicant/operator and the Planning Department shall be subject to review and determination by the Planning Commission.

Site & Buildings

15. Development of the project site shall be in substantial conformance with the attached site plan drawings C1.0 (April 1, 2015), PS2 (March 25, 2015), and L-1 (February 29, 2015) and the attached operational statement. The City Planner shall determine the extent to which incremental or minor changes to the site plan illustrations and/or operational statement meet this requirement.
16. Following any changes made to the site plan as a result of these conditions or other commentary, correspondence, or official requirement, and prior to issuance of a certificate of occupancy, the applicant shall submit a copy of the final site plan to the Planning Department for inclusion in the project file.
17. The site is authorized to provide area for parking and circulation at a ratio of less than three (3) square feet of area per one (1) square foot of building size. The facility shall provide a minimum of thirty (30) parking spaces, of which two (2) shall be dedicated as ADA-accessible spaces, including one (1) van-accessible space. The site plan dated April 14, 2014 indicates a total of thirty-seven (37) onsite spaces, of which two (2) are ADA-accessible.
18. The owner shall maintain two (2) vehicular access points to the parking facilities.
19. Fencing shall comply with MMC §17.60.050(H). Fencing material shall be subject to approval by the Community Development Department.

20. Masonry wall construction shall comply with City of Mendota Standard Drawing Nos. M-6 and M-7.
21. The applicant shall coordinate with Mid Valley Disposal to establish necessary solid waste procedures. Construction of the trash enclosure shall comply with City of Mendota Standard Drawing No. M-12.
22. The owner/applicant shall comply with all relevant components of the California Building Code and associated trade codes, including but not limited to issues related to restroom facilities, building occupancy limits, and fire prevention and safety.
23. All signage must be approved pursuant to the standards and guidelines of the Mendota Municipal Code prior to installation.
24. The applicant shall provide a lighting plan for the review and approval of the City Engineer. All exterior lights shall be shielded or otherwise oriented to prevent disturbance to surrounding or neighboring properties or traffic on Naples and 3rd Streets and the adjacent alley.
25. The project water supply shall be taken from the existing 6-inch water main in the abutting alley. The connection shall be made in accordance with City of Mendota standards and shall be coordinated with the Director of Public Utilities.
26. The applicant shall comply with the City of Mendota Potable Water Protection Regulations contained within Mendota Municipal Code §13.24. Consistent with these regulations one or more backflow prevention devices may be required.
27. The project sanitary sewer service shall be connected to existing 15-inch sewer line in the abutting alley. The connection shall be made in accordance with City of Mendota standards and shall be coordinated with the Director of Public Utilities.
28. The applicant shall provide an irrigation plan for the review and approval of the City Engineer.
29. The applicant shall provide a grading plan prepared by a CA-licensed civil engineer for the review and approval of the City Engineer.

Operations

30. The operator of the business shall acquire and maintain a valid City of Mendota business license, including compliance with any pertinent regulatory agency requirements pursuant to MMC §5.04.025.
31. The hours of operation shall be between 8:00 AM and 10:00 PM, Sunday through Saturday. This condition may be modified pursuant to the provisions of MMC §17.08.050(H).
32. Activities shall occur entirely within the associated structure. They shall not encroach into the adjacent parking area, into the City or Caltrans right-of-way, or adjacent properties or structures. If the operator permits use of tobacco products on the site, an ash urn or similar device shall be provided outside the building.

33. The operation shall be subject to the City of Mendota Noise Ordinance, except that operation of the facility pursuant to the conditions contained herein shall not require a separate permit for amplified music within the facility. Amplified music shall not be permitted outside of the main building. The applicant shall install and maintain, subject to the discretion of the Building Department, interior materials intended to reduce the amount of sound audible outside of the primary building.

Fees

34. All Planning, Engineering, Building, and Development Impact Fees and costs shall be paid in full to the City prior to issuance of any building permit.

35. The project site is situated within the Economic Incentive Zone. For development of greater than 2,000 square feet, development impact fees are reduced by fifty (50) percent. The applicant shall pay to the City of Mendota development impact fees consistent with the City's current Development Impact Fee Schedule reduced by fifty percent as detailed herein:

CITY OF MENDOTA					
APPLICATION No. 15-04 DEVELOPMENT IMPACT FEES					
Reduced by 50% within Economic Incentive Zone					
Fee	Unit Type	Units	Fee per Unit	Subtotal	50% Reduced Total
City Management and General Services	SF	7147	\$0.120	\$857.64	\$428.82
Law Enforcement	SF	7147	\$0.325	\$2,322.78	\$1,161.39
Fire Protection	SF	7147	\$0.397	\$2,837.36	\$1,418.68
Storm Drainage	AC	1.16	\$7,814.28	\$9,064.56	\$4,532.28
Water Supply & Treatment	EDU	1	\$2,350.30	\$2,350.30	\$1,175.15
Wastewater & Treatment	EDU	1	\$1,947.56	\$1,947.56	\$973.78
Traffic Impact	SF	7147	\$1.022	\$7,304.23	\$3,652.12
Recreational Facilities ¹	n/a	n/a	n/a	n/a	n/a
Water Connection Charges ²	Connection	TBD	TBD	TBD	TBD
Sewer Connection Charges ²	Connection	TBD	TBD	TBD	TBD
South Side Sewer Interceptor ³	EDU	n/a	n/a	n/a	n/a
West Side Sewer Interceptor ³	EDU	n/a	n/a	n/a	n/a
Total				\$26,684.43	\$13,342.22

¹ This fee is not applicable to commercial or industrial development.

² Water and Sewer Connection Charges to be determined as construction drawings are developed.

³ The project site is not within the Zone of Benefit of either sewer interceptor.

PASSED AND ADOPTED by the Planning Commission of the City of Mendota at a special meeting held on the 8th day of June, 2015, upon a motion by Commissioner _____, a second by Commissioner _____, and by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

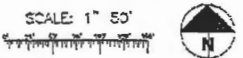
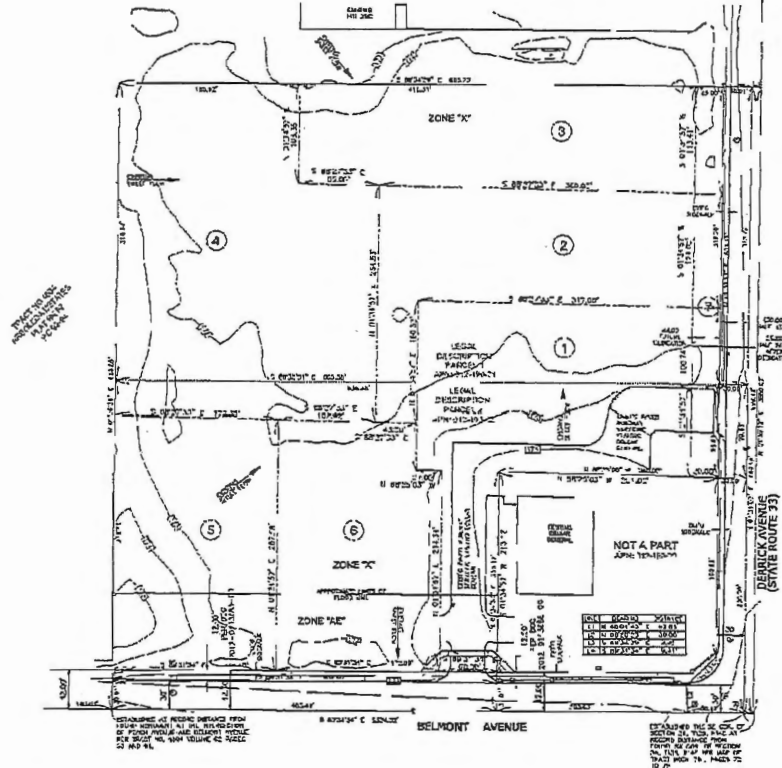
Juan Luna, Chair

Matt Flood, City Clerk

Exhibit "A"

CITY OF MENDOTA, COUNTY OF FRESNO, STATE OF CALIFORNIA TENTATIVE PARCEL MAP NO 14-01

APR 212-'90-21 AND 22, 8.03 ACRES TOTAL
NOVEMBER, 2014



LEGAL DESCRIPTION:
 THE LEGAL DESCRIPTIONS TO APPEAR HEREIN AS LOCATED IN THE CITY OF MENDOTA, COUNTY OF FRESNO, STATE OF CALIFORNIA AND AS DESCRIBED AS FOLLOWS:
 TRACT 14-01-01-21
 THE SOUTH HALF OF THE SOUTH-QUARTER QUARTER OF THE SOUTHWEST QUARTER OF THE QUARTER QUARTER OF SECTION 26, TOWNSHIP 42N, RANGE 18W, COUNTY OF FRESNO, STATE OF CALIFORNIA, BEING 8.03 ACRES MORE OR LESS.
 BEGINNING AT SECTION 26, TOWNSHIP 42N, RANGE 18W, COUNTY OF FRESNO, STATE OF CALIFORNIA, BEING 8.03 ACRES MORE OR LESS.
 BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER QUARTER OF SECTION 26, TOWNSHIP 42N, RANGE 18W, COUNTY OF FRESNO, STATE OF CALIFORNIA, BEING 8.03 ACRES MORE OR LESS.
 TRACT 14-01-01-22
 PARCELS A OF LOT 14-01-01-21, BEING 1.00 ACRES MORE OR LESS.
 THAT PORTION OF THE SOUTHWEST QUARTER QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 42N, RANGE 18W, COUNTY OF FRESNO, STATE OF CALIFORNIA, BEING 8.03 ACRES MORE OR LESS.
 COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER QUARTER OF SECTION 26, TOWNSHIP 42N, RANGE 18W, COUNTY OF FRESNO, STATE OF CALIFORNIA, BEING 8.03 ACRES MORE OR LESS.
 TRACT 14-01-01-23
 PARCELS B OF LOT 14-01-01-21, BEING 1.00 ACRES MORE OR LESS.
 THAT PORTION OF THE SOUTHWEST QUARTER QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 42N, RANGE 18W, COUNTY OF FRESNO, STATE OF CALIFORNIA, BEING 8.03 ACRES MORE OR LESS.
 COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER QUARTER OF SECTION 26, TOWNSHIP 42N, RANGE 18W, COUNTY OF FRESNO, STATE OF CALIFORNIA, BEING 8.03 ACRES MORE OR LESS.

SCHEDULE B EXCEPTION ITEMS:
 1. EXEMPTED FROM THE PARCELS SHOWN BEING AND BEING INCORPORATED INTO THE PARCELS AS SHOWN IN A. PARCELS A AND B OF LOT 14-01-01-21, BEING 1.00 ACRES MORE OR LESS.
 2. EXEMPTED FROM THE PARCELS SHOWN BEING AND BEING INCORPORATED INTO THE PARCELS AS SHOWN IN A. PARCELS A AND B OF LOT 14-01-01-21, BEING 1.00 ACRES MORE OR LESS.
 3. EXEMPTED FROM THE PARCELS SHOWN BEING AND BEING INCORPORATED INTO THE PARCELS AS SHOWN IN A. PARCELS A AND B OF LOT 14-01-01-21, BEING 1.00 ACRES MORE OR LESS.

SITE INFORMATION:
 THE PARCELS ARE SHOWN AS BEING PART OF THE TRACT 14-01-01-21, BEING 8.03 ACRES MORE OR LESS.
 AND, BEING 8.03 ACRES MORE OR LESS.

BASIS OF BEARINGS:
 ALL BEARINGS WERE MEASURED AND CALCULATED ON THE BASIS OF TRUE NORTH BEING 0° 00' 00" N OF THE MERIDIAN.

BENCH MARK:
 A BENCH MARK IS SHOWN AS BEING 1.00 ACRES MORE OR LESS.

MONUMENT AND REFERENCE NOTES:
 A. MONUMENTS WERE MEASURED AS DESCRIBED ABOVE.
 B. MONUMENTS WERE MEASURED AS DESCRIBED ABOVE.
 C. MONUMENTS WERE MEASURED AS DESCRIBED ABOVE.

FLOOD NOTE:
 BY GRANITE SURVEYING CO., THE PROPERTY IS IN ZONE X1 AND ZONE X2 AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE COUNTY OF FRESNO, CALIFORNIA, DATED FEBRUARY 10, 2010. THE PROPERTY IS LOCATED IN AN AREA OF FLOODING OR POTENTIAL FLOODING FROM THE FLOOD INSURANCE RATE MAP AND IS SUBJECT TO FLOODING OR POTENTIAL FLOODING FROM THE FLOOD INSURANCE RATE MAP.

LOT SCHEDULE			
NO. GROUP	LOT NO.	AC. MIN.	AC. MAX.
(1)	14-01-01-21	7.81	8.03
(2)	14-01-01-22	1.22	1.22
(3)	14-01-01-23	1.22	1.22
(4)	14-01-01-24	1.22	1.22
(5)	14-01-01-25	1.22	1.22
(6)	14-01-01-26	1.22	1.22
TOTAL: 8.03 ACRES MORE OR LESS			

OWNER: 14-01-01-01-21-22-23-24-25-26 14-01-01-01-21-22-23-24-25-26 14-01-01-01-21-22-23-24-25-26	APPLICANT: 14-01-01-01-21-22-23-24-25-26 14-01-01-01-21-22-23-24-25-26 14-01-01-01-21-22-23-24-25-26	CIVIL ENGINEER: 14-01-01-01-21-22-23-24-25-26 14-01-01-01-21-22-23-24-25-26 14-01-01-01-21-22-23-24-25-26
--	--	---

GENERAL NOTES:
 1. THIS MAP SHOWS THE PROPOSED PARCELS AND THE DIMENSIONS OF THE LOTS.
 2. THE DIMENSIONS OF THE LOTS ARE GIVEN IN FEET AND INCHES.
 3. THE DIMENSIONS OF THE LOTS ARE GIVEN IN FEET AND INCHES.
 4. THE DIMENSIONS OF THE LOTS ARE GIVEN IN FEET AND INCHES.
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 9. THE DIMENSIONS OF THE LOTS ARE GIVEN IN FEET AND INCHES.
 10. THE DIMENSIONS OF THE LOTS ARE GIVEN IN FEET AND INCHES.

ACCESS, PARKING AND LANDSCAPE EASEMENT:
 ALL PROPOSED PARCELS WILL COMPLY WITH THE ACCESS, PARKING AND LANDSCAPE EASEMENT REQUIREMENTS OF THE ZONING ORDINANCES.

ZONING INFORMATION:
 ALL PROPOSED PARCELS WILL COMPLY WITH THE ZONING ORDINANCES OF THE CITY OF MENDOTA.

SWPPP GENERAL NOTES:
 1. SWPPP PLAN SHALL BE SUBMITTED TO THE COUNTY OF FRESNO FOR APPROVAL PRIOR TO ANY CONSTRUCTION.
 2. SWPPP PLAN SHALL BE SUBMITTED TO THE COUNTY OF FRESNO FOR APPROVAL PRIOR TO ANY CONSTRUCTION.

UTILITY PURVEYOR:
 ALL UTILITY LINES SHALL BE LOCATED AND DELETED PRIOR TO ANY CONSTRUCTION.

VICINITY MAP

DATE	REVISIONS	INITIALS

SALEM
 engineering group, inc.
 11000 HUNTERS BLVD. SUITE 100
 FRESNO, CA 93720
 (559) 435-1000

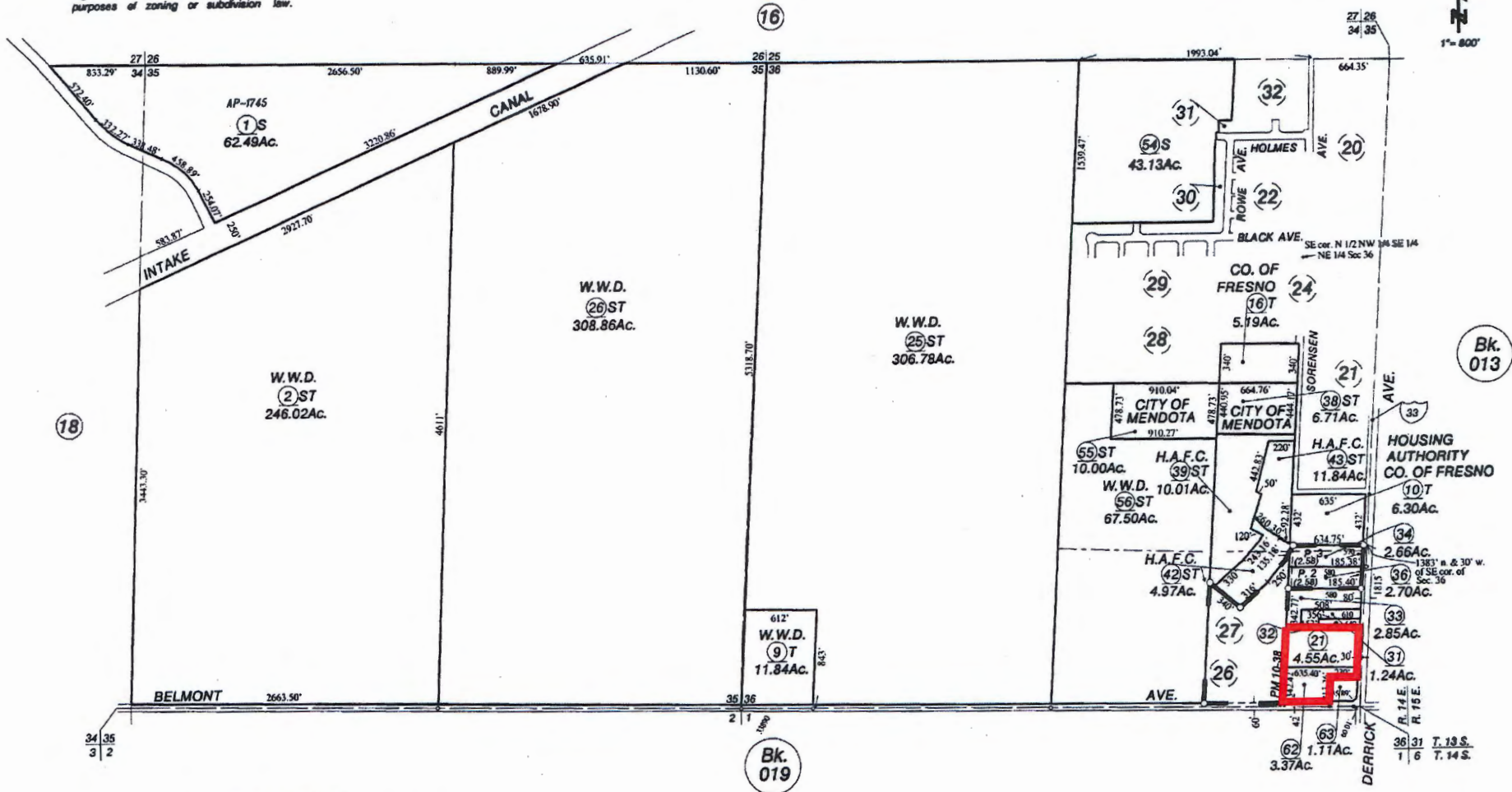
SEC. 36 & POR. SEC'S. 34 & 35, T. 13 S., R. 14 E., M. D. B. & M.

Tax Rate Area

12-001	140-000
12-015	140-013
12-026	
12-027	

012-19

... NOTE ...
 This map is for Assessment purposes only.
 It is not to be construed as portraying
 legal ownership or divisions of land for
 purposes of zoning or subdivision law.



Agricultural Preserve
 Parcel Map No. - Bk. 10, Pg. 38

Assessor's Map Bk. 012 - Pg. 19
 County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
 Assessor's Parcel Numbers Shown in Circles.

07/10/12

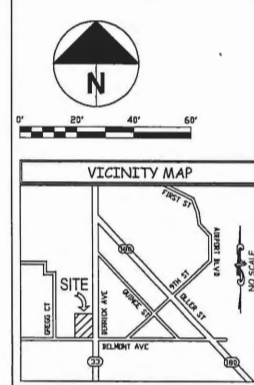
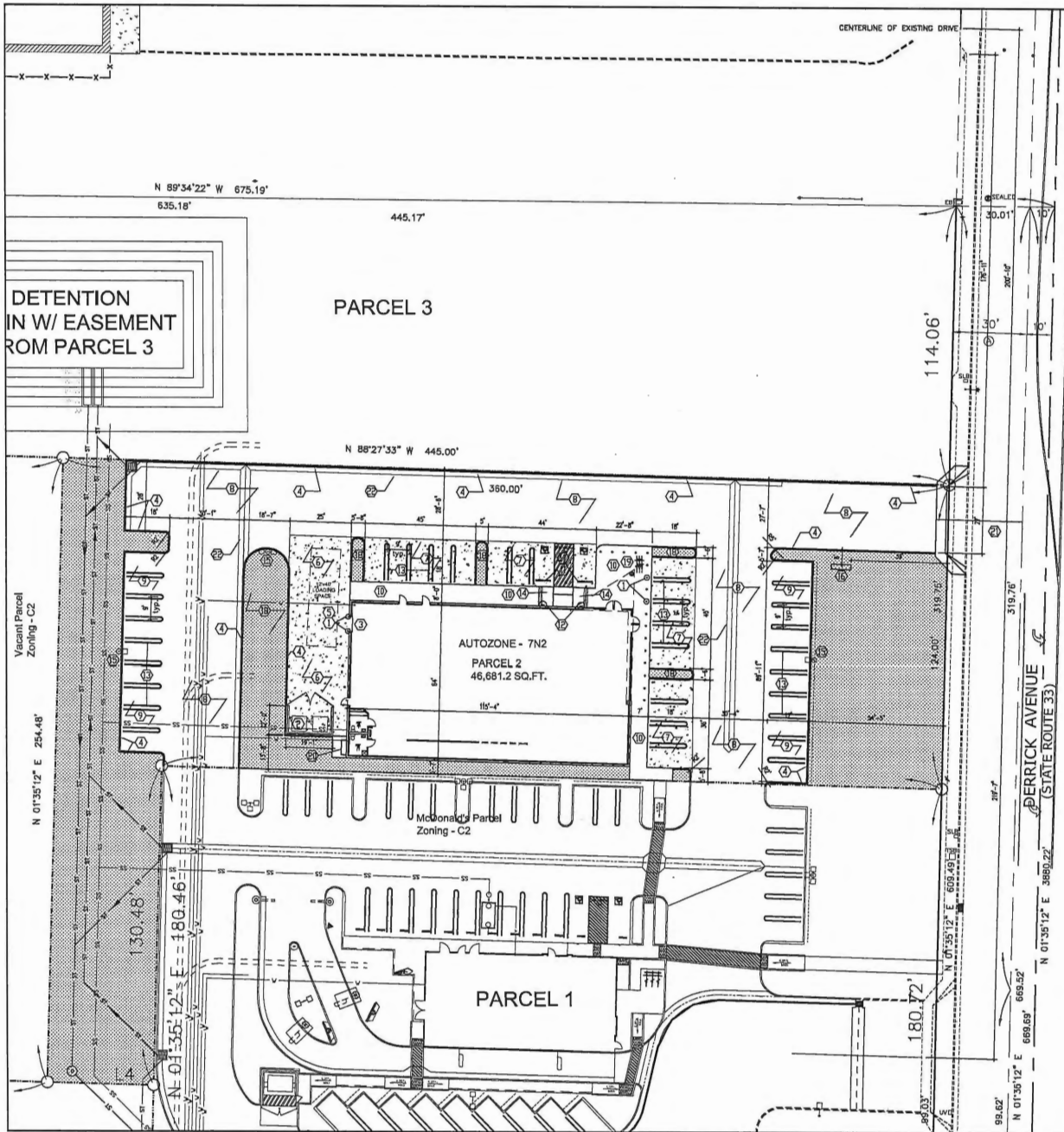
City of Mendota Application No. 15-04
 APNs 012-190-21 & 62 (portions) No address

Project Site



City of Mendota Application No. 15-04
APNs 012-190-21 & 62 (portions) No address

 Project Site



- BUILDING AND SITE**
- ① Pipe guard - see detail 16/C1A
 - ② Dumpster layout - see details 8,3, 10 & 11/C1A
 - ③ Service Door Plan - see detail 15/C1A
 - ④ Concrete Curbing
 - ⑤ Loading area. Flush transition at door. Slope heavy duty concrete away from building at 2.5% maximum slope
 - ⑥ Heavy Duty Concrete paving - Expansion and Control joints - Maximum spacing for control joints is 15' O.C. each way. 2/C1.0
 - ⑦ Light Duty Concrete paving - Expansion and Control joints - Maximum spacing for control joints is 15' O.C. each way. 2/C1.0
 - ⑧ New Heavy Duty Asphalt paving - 1/C1.0
 - ⑨ New Light Duty Asphalt paving - 1/C1.0
 - ⑩ Concrete sidewalk - see details 21 & 24/C1A for sidewalks around building
 - ⑪ 6'-0" long concrete wheel stop pinned to pavement (typical)
 - ⑫ Handicap parking sign - see detail 4/C1A G.C. to provide one Van Accessible sign.
 - ⑬ Parking stripes per City of Mendota (typ.)
 - ⑭ Accessible Ramp - See detail 2 & 3 /C1A - Max. slope: 1:12 (8.33%) ; Max. cross slope: 1:50 (2.00%) Truncated dome to be a contrasting color.
 - ⑮ Site Light Pole and base Location. See Detail 13/C1A
 - ⑯ New 5' x 8' x 25' Pylon Sign.
 - ⑰ 4" wide diagonal stripes pointed blue at 3 ft. O.C.
 - ⑱ New landscape area. See landscape plans
 - ⑲ Bicycle Parking. See detail 25/C1A
 - ⑳ Electric Switchgear location
 - ㉑ New Proposed Access Entrance
 - ㉒ New Ribbin Gutter

BULK AREA REQUIREMENTS

ZONE	C-2 COMMUNITY COMMERCIAL	
PROPOSED USE:	RETAIL	
ITEM	REQUIRED	PROVIDED
PARCEL AREA	1 - ACRE	1.01 - ACRES OR 46,684.54 SF
PROPOSED BUILDING AREA	N/A	7,380 GROSS SF 2,147 GROSS S.F.
LOT COVERAGE PERCENTAGES	BUILDING - 33%MAX	BUILDING - 17%
PROPOSED BUILDING HEIGHT	20' MAX	21'-0" PROVIDED
PARKING MAX. REQUIRED	5 SF PER 1 SF BLDG AREA 1144 SF x 5 = 5720 SF OF SPACES	1000 SF STILL AREA PROVIDED 1622 SF DRIVE TOTAL AREA PROVIDED
PARKING MAX. PROVIDED	6 SPACES / 1000 SF BLDG AREA 2 = 12 SPACES AREA	28 STALLS PROVIDED
LOADING SPACE REQUIRED	1 = 12 x 40 SPACE	1 = 12 x 10 SPACE

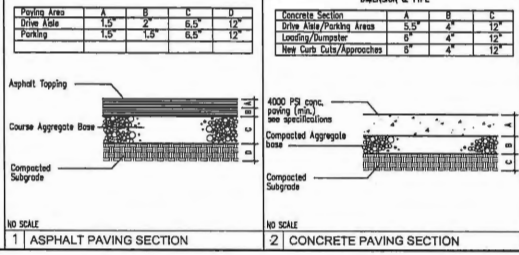
LEGAL DESCRIPTION: NOTE THIS LEGAL DESCRIPTION IS BASED ON A TENTATIVE PARCEL MAP NO. 14-01 DATED NOVEMBER 2004 FOR APR 02-190-29 AND 82.

A NORTH OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 14 EAST, MOUNT Diablo BASE AND MERIDIAN, IN THE CITY OF MENDOTA, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT TOWNSHIP PLATS.

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION THENCE NORTH ALONG THE EAST LINE OF SAID SECTION, NORTH 01° 34' 07" EAST 430.88 FEET; THENCE WESTERLY, NORTH 89° 27' 23" WEST 90.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 90.00 FEET WEST FROM THE EAST LINE OF SAID SECTION AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING WESTERLY, NORTH 89° 27' 23" WEST 388.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 247.00 FEET WEST FROM THE EAST LINE OF SAID SECTION; THENCE SOUTH ALONG SAID PARALLEL LINE, NORTH 01° 34' 07" WEST 160.48 FEET; THENCE NORTH 89° 27' 23" WEST 43.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 390.00 FEET WEST FROM THE EAST LINE OF SAID SECTION; THENCE NORTH ALONG SAID PARALLEL LINE, NORTH 01° 34' 07" WEST 23.00 FEET; THENCE EASTERLY, SOUTH 89° 27' 33" EAST 331.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 58.00 FEET WEST FROM THE EAST LINE OF SAID SECTION; THENCE SOUTH ALONG SAID PARALLEL LINE, SOUTH 01° 34' 07" WEST 124.00 FEET TO THE TRUE POINT OF BEGINNING.

BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED UPON THE CENTER LINE OF DERRICK AVENUE BEING N 01° 30' 27" E AS SHOWN ON PARCEL MAP IN BOOK 10, PAGE 26, IN THE OFFICE OF THE COUNTY RECORDER OF FRESNO COUNTY.

BENCH MARK:
NATIONAL GEODETIC SURVEY BENCH MARK - DESIGNATION: PM Y 881 - PIN 030801
ELEVATION = 171.10 FEET (GPD 80)
STAMPED: Y 881 RESET 1982
0.8 MI SW FROM MENDOTA, 0.2 MILE SOUTHWEST ALONG THE SEVENTH STREET FROM THE SOUTHWEST PACIFIC STATION AT MENDOTA, THENCE 0.25 MILE SOUTH ALONG STATE HIGHWAY 99, AT THE JUNCTION OF BELMONT AVENUE, 58 FEET NORTH OF THE CENTER LINE OF THE AVENUE 5 FEET SOUTH OF A POWER POLE 1.5 FEET NORTH OF A WOODS POST, ABOUT LEVEL WITH THE HIGHWAY AND IN THE TOP OF A CONCRETE POST PROJECTING 0.1 FOOT.



REVISIONS

NO.	DESCRIPTION
1	
2	
3	
4	

AUTOZONE, INC.
123 South Front Street
Mendota, TN. 38103
901-495-8714

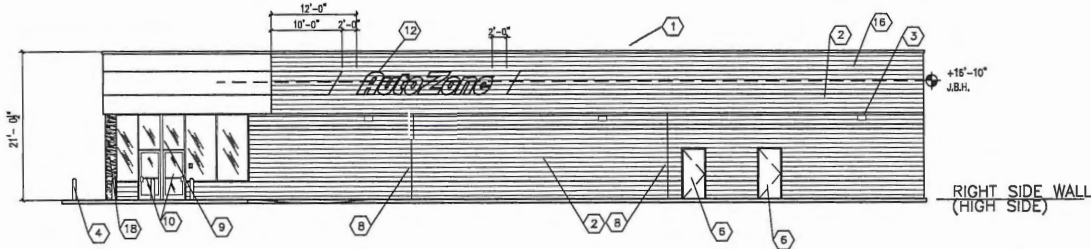
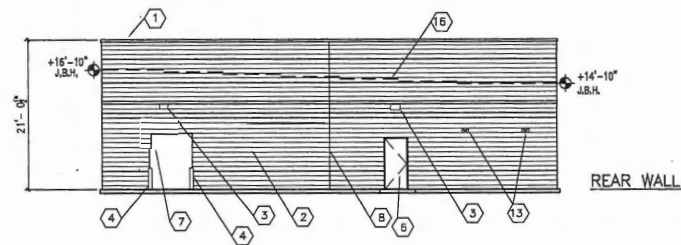
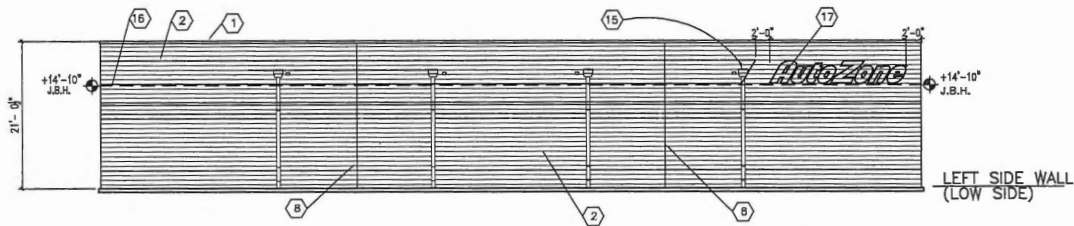
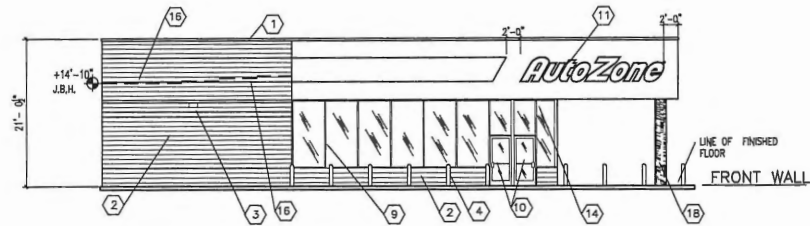
For Bidding & Contractor Information Contact:
F. W. Dodge Plan Room Tel. 615-884-1017

AutoZone Store No. 3708
DERRICK AVE
MENDOTA, CA.

SITE PLAN

ARCHITECTURAL GROUP INTERNATIONAL

04-01-15
7N2
C1.0



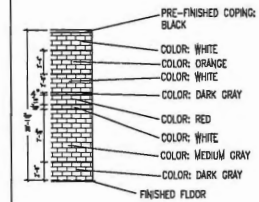
J.B.H. = JOIST BEARING HEIGHT

1/8" = 1'-0"
1 EXTERIOR ELEVATIONS

- 1 TWO PIECE COMPRESSION TRIM SEE DETAIL 4/16
- 2 SMOOTH FACE CONCRETE MASONRY UNITS SEE PAINT DETAIL SCHEME THIS SHEET
- 3 WALL MOUNTED LIGHT FIXTURE
- 4 PIPE GUARD WITH RED SLEEVE
- 5 WFD. WHITE EXTERIOR INSULATED FINISH - PAINT WHITE
- 6 PAINT MAIN DOOR RED & METAL FRAMES BLACK
- 7 DO NOT PAINT OVERHEAD DOOR PAINT ANGLES BLACK
- 8 EXPANSION JOINT
- 9 ALUMINUM STOREFRONT - RED KYMAR FINISH
- 10 GLASS AND ALUMINUM DOORS - CLEAR ANODIZED FINISH
- 11 FRONT WALL SIGN - 40"
- 12 RIGHT SIDE WALL SIGN - 38"
- 13 TOILET WALL VENTS PAINT TO MATCH WALL
- 14 STORE ADDRESS - 6" WHITE REFLECTIVE NUMBERS
- 15 PAINT GUTTER AND DOWNSPOUTS TO MATCH BACKGROUND WALL COLOR.
- 16 BOND BEAM AT ROOF LINE
- 17 LEFT SIDE WALL SIGN - 38"
- 18 CORRUGATED COLUMN PAINT RED

1/8" = 1'-0" AHW10N
2 ELEVATION KEY NOTES

NOTE: CENTER ALL WALL SIGNAGE VERTICALLY ON THE PAINTED ORANGE STRIPE OR THE TOP TWO BRICK SOLDIER COURSES. PAINT ORANGE STRIPE TO WITHIN 2' OF WALL SIGN. DO NOT PAINT ORANGE STRIPE BEHIND SIGN. CONTINUE ORANGE STRIPE ON E.I.F.S. ABOVE STOREFRONT.



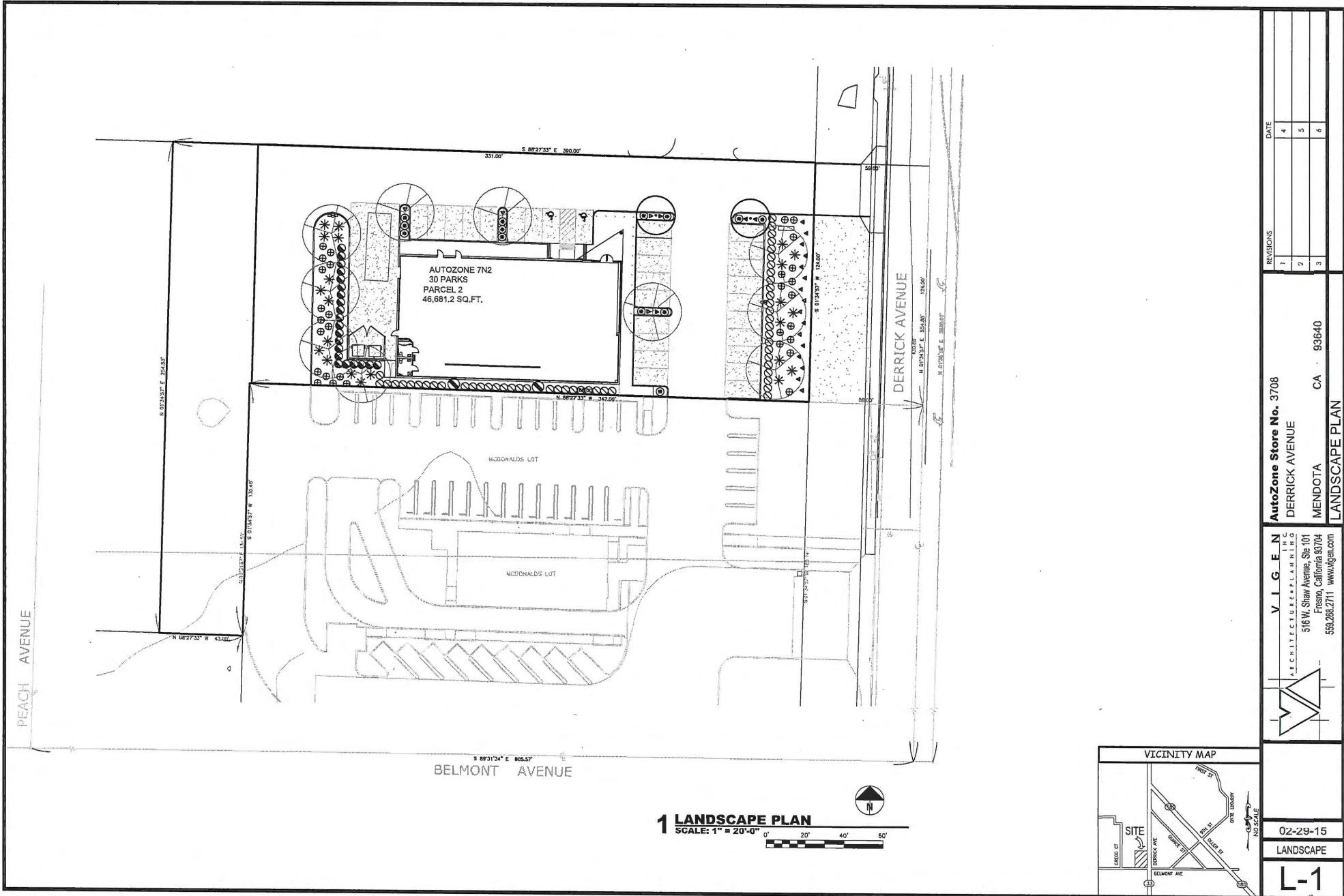
1/8" = 1'-0" AHWED1
3 EXTERIOR WALL COLOR SCHEME

REVISIONS	
NO.	DESCRIPTION
1	REV1
2	REV2
3	REV3
4	REV4
5	REV5
6	REV6

AutoZone Store No. 3708
DERRICK AVE
MENDOTA CA 93640
BUILDING ELEVATIONS

REVISED BY: JEFFREY L. BROWN
DATE: 03-25-15
PROJECT NO: 1501
PHONE: 889-261-5400 FAX: 889-261-5330

03-25-15
7N2-L
PS2



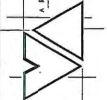
Autozone Store No. 3708

DERRICK AVENUE

MENDOTA CA 93640

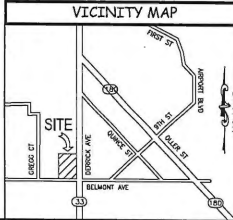
LANDSCAPE PLAN

V I G E N
INC
ARCHITECTURE PLANNING



516 W. Shaw Avenue, Ste 101
Fresno, California 93704
559.268.2711 www.vigen.com

VICINITY MAP



02-29-15

LANDSCAPE

L-1

**BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA IN THE MATTER
OF ADOPTION OF A MITIGATED NEGATIVE
DECLARATION PREPARED IN CONJUNCTION
WITH TENTATIVE PARCEL MAP NO. 14-01**

RESOLUTION NO. 15-10

WHEREAS, on November 25, 2014, the City of Mendota formally accepted Application No. 14-09, consisting of Tentative Parcel Map No. 14-01, which proposes to subdivide two existing parcels comprising approximately 8.03 acres into six smaller parcels ranging in size from 1.02 acres to 2.06 acres for commercial development; and

WHEREAS, approval of a tentative parcel map consists of issuance of an entitlement by a public agency and therefore constitutes a "project" pursuant to the California Environmental Quality Act (CEQA; Public Resources Code §21000 *et seq.*); and

WHEREAS, as the agency primarily responsible for carrying out or approving said project, the City of Mendota assumes the role of lead agency pursuant to CEQA; and

WHEREAS, an initial study and environmental checklist were prepared for the project in accordance with CEQA, and on December 29, 2014, the City Planner made a preliminary determination that, with mitigation, approval of Tentative Parcel Map No. 14-01 would not result in any significant impacts to the environment, and as such a mitigated negative declaration would be appropriate for the project; and

WHEREAS, on December 29, 2014, the City of Mendota filed a notice of intent to adopt a mitigated negative declaration with the Fresno County Clerk and posted copies of said notice in the City Hall bulletin window and at two locations on the project site, said notice of intent advertising a 20-day review and comment period starting on December 29, 2014 and ending on January 18, 2015; and

WHEREAS, the City of Mendota provided copies of said initial study/mitigated negative declaration to various public agencies for a 20-day review period between December 29, 2014 and January 18, 2015, also making said initial study/mitigated negative declaration available for public review at Mendota City Hall; and

WHEREAS, said notice of intent indicated that the Mendota Planning Commission intended to consider said initial study/mitigated negative declaration at a regular meeting on January 20, 2015 and provide a recommendation to the City Council, and that the City Council would consider that recommendation at a regular meeting on February 10, 2015; and

WHEREAS, the City of Mendota is the custodian of the documents and other materials that constitute the record of proceedings upon which the City Council's decision is based, and Mendota City Hall is the location of this record; and

WHEREAS, one (1) comment letter was received, that being from the San Joaquin Valley Air Pollution Control District; and

WHEREAS, said comment letter did not result in revisions to the proposed initial study/mitigated negative declaration; and

WHEREAS, based upon internal discussion, the City has made changes to mitigation measures HYD-1 and HYD-2 proposed in the mitigated negative declaration as circulated; and

WHEREAS, due to a clerical error, implementation of Mitigation Measures HYD-1 and HYD-2 had been incorrectly placed under the responsibility of the City of Mendota instead of under the responsibility of the owner or applicant; and

WHEREAS, said clerical error has been rectified; and

WHEREAS, at a regular meeting on January 20, 2015, the Mendota Planning Commission did conduct a duly-noticed public hearing to consider the initial study/mitigated negative declaration and Tentative Parcel Map No. 14-01, and did adopt Resolution No. PC 15-01, forwarding a recommendation of approval to the City Council; and

WHEREAS, following action by the Planning Commission on January 20, 2015, further discussions resulted in a preliminary determination that Mitigation Measure HYD-1 could be modified to apply to only the fourth through sixth parcels to develop and that Mitigation Measure HYD-2 could be removed without resulting in significant impacts to hydrology and/or water quality; and

WHEREAS, the City has determined that the changes above result in mitigation measures that are equally as effective as those originally circulated for review, and that they will not result in significant impacts to the environment that must be subsequently analyzed; and

WHEREAS, as modified, implementation of the mitigation measures contained within the initial study/mitigated negative declaration will reduce impacts resulting from Tentative Parcel Map No. 14-01 to less-than-significant levels; and

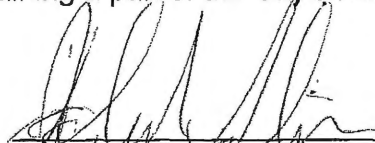
WHEREAS, the City Council finds that it cannot be fairly argued, nor is there any substantial evidence in the record, that the project will have a significant impact on the environment, either directly or indirectly; and

WHEREAS, based upon the initial study/environmental checklist and the record, the project will not individually or cumulatively have an adverse impact on environmental resources.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1) The City Council of the City of Mendota hereby determines that any impacts resulting from approval of Application No. 14-09 will be reduced to less-than-significant levels with incorporation of mitigation measures; and

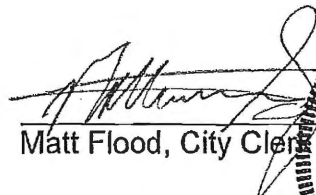
- 2) The City Council of the City of Mendota hereby affirms the preliminary determination of the City Planner and the recommendation of the Planning Commission and adopts the mitigated negative declaration as attached hereto, including its mitigation monitoring and reporting program, with the initial study and environmental checklist remaining a part of the City's records.



Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at Mendota City Hall on the 10th day of February, 2015 by the following vote:

AYES: 5- Mayor Silva, Mayor Pro Tem Valdez, Councilors Amador, Castro, and Riofrio.
NOES: 0
ABSENT: 0
ABSTAIN: 0


Matt Flood, City Clerk



**BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA IN THE MATTER
OF APPLICATION NO. 14-09, TENTATIVE
PARCEL MAP NO. 14-01**

RESOLUTION NO. 15-11

WHEREAS, at a regular meeting on January 20, 2015, the Mendota Planning Commission did conduct a duly-noticed public hearing to consider Application No. 14-09, consisting of Tentative Parcel Map No. 14-01 and an accompanying initial study/mitigated negative declaration prepared in accordance with the California Environmental Quality Act, and adopted Resolution No. PC 15-01, forwarding a recommendation of approval to the City Council; and

WHEREAS, at a regular meeting on February 10, 2015, the Mendota City Council did conduct a public hearing to consider the recommendation of the Planning Commission in the matter of Application No. 14-09; and

WHEREAS, on January 30, 2015 notice of said public hearing was published in *The Business Journal*, individually mailed via USPS to all record owners of property within 300 feet of the project site, and posted in the City Hall bulletin window; and

WHEREAS, Tentative Parcel Map No. 14-01 proposes to subdivide two existing parcels comprising approximately 8.03 acres into six smaller parcels ranging in size from 1.02 acres to 2.06 acres for commercial development, as illustrated in Exhibit "A" attached hereto; and

WHEREAS, approval of a tentative parcel map consists of issuance of an entitlement by a public agency and therefore constitutes a "project" pursuant to the California Environmental Quality Act (CEQA; Public Resources Code §21000 *et seq.*); and

WHEREAS, as the agency primarily responsible for carrying out or approving said project, the City of Mendota assumes the role of lead agency pursuant to CEQA; and

WHEREAS, the City Council has adopted Resolution No. 15-10, adopting a mitigated negative declaration analyzing the potential impacts of Tentative Parcel Map No. 14-01 and determining that, with mitigation measures, the project will not result in significant impacts to the environment; and

WHEREAS, with the adoption of said Resolution No. 15-10, the City Council determined that Mitigation Measure HYD-1 could be modified and Mitigation Measure HYD-2 could be removed without resulting in any significant impacts to the environment; and

WHEREAS, modification of Mitigation Measure HYD-1 requires a modification to Condition of Approval No. 28 and removal of Mitigation Measure HYD-2 obviates the need for Conditions of Approval Nos. 27 and 29 as recommended by the Planning Commission via adoption of Resolution No. PC 15-01; and

WHEREAS, the City Council has affirmed the following findings pursuant to the California Subdivision Map Act and Title 16 of the Mendota Municipal Code (the Subdivision Ordinance), said findings substantiated in the record:

1. The proposed subdivision, along with its design and improvements, is consistent with the City's General Plan and any applicable specific plans.
2. The site is physically suitable for the type and density of development.
3. The proposed design and improvements are not likely to cause environmental damage or healthy concerns.
4. The design or the subdivision will not conflict with public easements for access through or use of the property within the subdivision.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mendota hereby approves Tentative Parcel Map No. 14-01 as attached hereto as Exhibit "A" and subject to the following modified conditions of approval:

As may be used herein, the words "subdivider", "owner," "operator", and "applicant" shall be interchangeable. Conditions of approval that are expressly (i.e. specific references using the term "future development" or similar) or impliedly (i.e. referring to activities that could only occur during site development) related to future development of the project site shall be applicable at the time of approval of said future development.

General

1. Tentative Parcel Map No. 14-01 shall be valid for a period of 24 months from the date of its approval or conditional approval by the City Council. Extensions to this period may be requested pursuant to §66453.3 of the California Subdivision Map Act.
2. Following City Council approval or conditional approval of the tentative parcel map and prior to its expiration, the subdivider may formally submit a final parcel map (Parcel Map).
3. The Parcel Map shall be prepared in accordance with Chapter 2, Article 3 of the Subdivision Map Act by a California-licensed land surveyor or civil engineer qualified to perform such service.
4. Prior to or concurrently with recordation of the Parcel Map, the subdivider shall cause to be recorded with the Fresno County Recorder an irrevocable easement or covenant for cross-access purposes encompassing the six lots created by the Parcel Map along with Parcel B of Lot Line Adjustment No. 2011-01 (at the time of this writing occupied by Family Dollar).
5. Prior to recordation of the Parcel Map, a subdivision agreement shall be executed between the City of Mendota and the subdivider. This agreement allows for the

deferral of certain improvements and fees until the development of individual parcels as outlined herein or in the individual development proposals as determined by the City Engineer. A subdivision agreement certificate shall be placed on the Parcel Map to reference the recording information of the subdivision agreement.

6. The Parcel Map submittal shall include parcel closures and a preliminary title report dated no more than thirty (30) days prior to submission to the City Engineer. Copies of all easement documents referenced in the preliminary title report shall accompany the submittal. All parcel map fees and recording fees shall be paid as required by the City of Mendota and the County of Fresno prior to recordation of the map. A Land Division Guarantee and a Fresno County Tax Compliance Certification Request are required when the City submits the map to the Fresno County Recorder's Office for recordation.
7. Construction drawings including but not limited to building and improvement plans; site, grading, irrigation, lighting, and landscaping shall be submitted to the Building Department and/or to the City Engineer as appropriate for review and approval. A building permit or permits, including payment of applicable fees, shall be acquired prior to start of any construction activities.
8. Grading and improvement plans shall be prepared by a California-licensed civil engineer.
9. Irrigation, lighting, and landscaping plans may be prepared by a California-licensed landscape architect, architect, or engineer, or by an unlicensed design professional.
10. All exterior lights shall be shielded or otherwise oriented to prevent disturbance to surrounding or neighboring properties or traffic on Derrick Avenue and Belmont Avenue.
11. Future development of the project site shall comply with all applicable provisions of the City of Mendota General Plan Update 2005-2025 and the Mendota Municipal Code, including but not limited to: potable water protection regulations (Chapter 13.24), business licensing requirements (Title 5), and Building Code standards (Title 15); the Subdivision Ordinance (Title 16); and the regulations of the C-2 zone district and other relevant portions of the Zoning Ordinance (Title 17), including but not limited to acquisition of a conditional use permit and/or approval of a site plan; the City of Mendota Standard Specifications and Standard Drawings; and the *City of Mendota Design Guidelines for the Highway 33, Seventh Street, and Oller Street Corridors*.
12. Any work within City of Mendota public right-of-way shall require an encroachment permit, including payment of all associated fees.
13. Any work within Caltrans, County of Fresno, or other agency right-of-way or property shall be subject to applicable provisions of said other agency, including but not limited to acquisition of encroachment permits, dedication or right-of-way, or other requirements.

14. It shall be the responsibility of the owner/developer to grant easements as necessary for the installation and maintenance of private utilities, including but not limited to: electricity, gas, telephone, and cable television.
15. Prior to issuance of a certificate of occupancy, all conditions of approval shall be verified as complete by the Planning Department. Any discrepancy or difference in interpretation of the conditions between the owner/applicant and the Planning Department shall be subject to review and determination by the Planning Commission.
16. Development shall comply with the provisions of the comment letter from the San Joaquin Valley Air Pollution Control District (SJVAPCD) dated January 16, 2015 unless said provisions are superseded by other comments received from SJVAPCD during individual project review.
17. Development shall comply with the requirements of the Fresno County Fire Protection District/CalFire.
18. (Mitigation Measure BIO-1) All future developers shall follow the *Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or during Ground Disturbance* (USFWS 2011). The measures that are listed below have been excerpted from these guidelines.
 - a. A pre-construction survey shall be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities on the project sites, or prior to any project activity likely to impact the San Joaquin kit fox. The surveyor shall thoroughly check the project sites for kit fox dens and, if found, exclusion zones shall be placed in accordance with USFWS Recommendations at the following radii:

Potential den	50 feet
Known den	100 feet
Natal/pupping den (occupied and unoccupied)	Contact Service
Atypical den	50 feet

- b. If dens must be removed, they must be appropriately monitored and excavated by a trained wildlife biologist. Replacement dens would be required. Destruction of natal dens and other "known" kit fox dens must not occur until authorized by USFWS.
- c. Project-related vehicles shall observe a 20-mph speed limit in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. To the extent possible, nighttime construction should be avoided. Off-road traffic outside of designated project areas should be prohibited.
- d. To prevent inadvertent entrapment of kit foxes or other animals during project construction, all excavated, steep-walled holes or trenches more than 2 feet deep

- shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the procedures under numbers 8 and 9 of this section must be followed.
- e. Kit foxes are attracted to den-like structures such as pipes and therefore may enter stored pipe, becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe that section of pipe shall not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.
 - f. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from a construction or project site.
 - g. No firearms shall be allowed on the project site.
 - h. To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets shall be permitted on project sites.
 - i. A representative shall be appointed by the project proponent who would be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped individual. The representative's name and telephone number shall be provided to the USFWS.
 - j. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape, or the USFWS shall be contacted for advice.
 - k. Any contractor, employee(s), or military or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured or entrapped kit fox. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530)934-9309. The Service should be contacted at the numbers below.
 - l. The Sacramento Fish and Wildlife Office and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.
 - m. New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below. Any project-related information required by the Service or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at:

Endangered Species Division

2800 Cottage Way, Suite W2605
Sacramento, California 95825-1846
(916) 414-6620 or (916) 414-6600

Site & Buildings

19. As determined necessary by the City Engineer, a slope easement shall be recorded along the Belmont Avenue frontage consistent with the slope easement indicated on the approved site plan for the Family Dollar site (Application No. 11-11).
20. As determined necessary by the City Engineer as a result of Americans with Disabilities Act (ADA) sidewalk slope requirements or other parameters, a pedestrian easement shall be recorded to ensure adequate path of travel.
21. A minimum of two (2) vehicular access points to the overall project site shall be maintained in perpetuity. Dependent upon future site development, an additional access point or points may be authorized or required.
22. All signage must be approved pursuant to the standards and guidelines of the Mendota Municipal Code prior to installation.
23. Consistent with Condition No. 4 above, development of individual parcels shall account for integrated and connected circulation throughout the project site to the extent feasible.
24. The owner of the project site, or of individual parcels created, shall be responsible for the ongoing and long-term maintenance of all onsite amenities to ensure that nuisance complaints are not received by the City.

Utilities

25. Project water supply shall be taken either from the existing 12-inch water main in Belmont Avenue or the existing 14-inch water main in Derrick Avenue. The connection point(s) shall be determined by the City Engineer during review of future development proposals. Connections shall be made in accordance with City of Mendota standards and shall be coordinated with the Director of Public Utilities.
26. Project sanitary sewer service shall be connected either to the existing 6-inch sewer line in Belmont Avenue or to the existing 8-inch sewer line in Derrick Avenue. The connection point(s) shall be determined by the City Engineer during review of future development proposals. Said development may be required to install and dedicate to the City of Mendota extension(s) of either or both existing sewer lines in order to adequately serve the project. Connections shall be made in accordance with City of Mendota standards and shall be coordinated with the Director of Public Utilities.
- ~~27. The first three parcels to develop shall incorporate storm drain design meeting the requirements of the City Engineer to connect to the existing storm drain inlet in Belmont Avenue just west of the intersection of Belmont and Derrick Avenues, as modified by Condition Nos. 28 and 29 below.~~

2827. (Mitigation Measure HYD-1) Prior to issuance of a building permit for any structure on the fourth of the six proposed parcels, a stormwater detention basin and relevant appurtenances shall be constructed on the Project site. Such basin shall be designed to the satisfaction of the City Engineer, shall be able detain stormwater during a 10-year event from all six **the fourth, fifth, and sixth** parcels that are part of the Project, and shall be able regulate release of detained stormwater into the City's storm drain system.

~~29. (Mitigation Measure HYD-2) Design of development and infrastructure on the first three parcels shall incorporate features meeting the requirements of the City Engineer such that, upon construction of the detention basin, stormwater from the first three parcels will be directed to that basin for flow and quality regulation.~~

3028. Applicants for development of the project site shall coordinate with Mid Valley Disposal to establish necessary solid waste procedures. Construction of trash enclosures shall comply with City of Mendota Standard Drawing No. M-12.

Operations

3129. Business operators shall acquire and maintain valid City of Mendota business licenses, including compliance with any pertinent regulatory agency requirements pursuant to Title 5 of the MMC.

3230. Hours of operation shall be as determined during site plan and/or conditional use permit review.

3331. Activities shall occur entirely within the associated structures, unless expressly authorized pursuant to an approved operational statement, and shall not encroach into parking area, into City, Caltrans, or other right-of-way, or onto/into adjacent properties or structures. If an operator permits use of tobacco products on the site, an ash urn or similar device shall be provided outside the building(s).

3432. Operations shall be subject to the City of Mendota Noise Ordinance

Fees


3533. All City of Mendota Planning, Building, and Engineering fees and costs shall be paid in full to the City prior to recordation of a Parcel Map.

3634. Future applicants intending to construct on, operate on, or otherwise occupy the parcels created by the Parcel Map shall be responsible for payment of City of Mendota Application Fees and Development Impact Fees in amounts to be determined during review, processing, and approval of their respective projects.

3735. Development shall be responsible for payment of fees to Mendota Unified School District and shall provide the City with evidence of payment, or evidence of the District's determination that no fees are required, prior to issuance of a certificate of occupancy.

3836. Development shall be responsible for payment of Fresno County Regional Transportation Mitigation Fees and Fresno County Public Facilities Impact Fees and

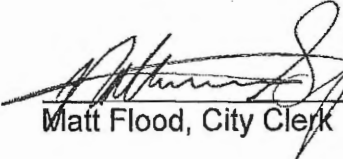
shall provide the City with evidence of payment, or evidence of the County's determination that no fees are required, prior to issuance of a certificate of occupancy.



Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at Mendota City Hall on the 10th day of February, 2015 by the following vote:

AYES: 5- Mayor Silva, Mayor Pro Tem Valdez, Councilors Amador, Castro, and Riofrio.
NOES: 0
ABSENT: 0
ABSTAIN: 0


Matt Flood, City Clerk



January 16, 2015

Jeffrey O'Neal
Contract City Planner
City of Mendota
286 W. Cromwell Avenue
Fresno, CA 93711

Project: IS/MND for Application No. 14-09 and TPM 14-01

District CEQA Reference No: 20140998

Dear Mr. O'Neal:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of the subdivision of two parcels comprising 8.03 acres into six parcels ranging from 1.02 to 2.03 acres in size. The division of land into individual parcels will not have an impact on air quality. However, if approved, future development will contribute to the overall decline in air quality due to construction activities, increased traffic, and ongoing operational emissions. The District offers the following comments:

1. Future development may require further environmental review and mitigation. Referral documents for those projects should include a project summary detailing, at a minimum, the land use designation, project size, and proximity to sensitive receptors and existing emission sources.
2. Individual development projects would be subject to District Rule 9510 (Indirect Source Review) if upon full build-out the project would include or exceed any one of the following:
 - 50 dwelling units
 - 2,000 square feet of commercial space;
 - 25,000 square feet of light industrial space;
 - 100,000 square feet of heavy industrial space;
 - 20,000 square feet of medical office space;
 - 39,000 square feet of general office space; or
 - 9,000 square feet of educational space; or
 - 10,000 square feet of government space; or
 - 20,000 square feet of recreational space; or
 - 9,000 square feet of space not identified above

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

3. District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at <http://www.valleyair.org/ISR/ISRHome.htm>.
4. If future development includes the addition of restaurants please note that Particulate Matter 2.5 microns or less in size (PM2.5) from under-fired charbroilers (UFCs) pose immediate health risk. Since the cooking of meat can release carcinogenic PM2.5 species like polycyclic aromatic hydrocarbons (PAH), controlling emissions from under-fired charbroilers will have a substantial positive impact on public health.

Charbroiling emissions occur in populated areas, near schools and residential neighborhoods, resulting in high exposure levels for sensitive Valley residents. The air quality impacts on neighborhoods near restaurants with UFCs can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises environmental concerns.

In addition, the cooking emissions source category is one of the largest single contributors of directly emitted PM2.5 in the Valley. Photochemical modeling conducted for the 2012 PM2.5 Plan showed that reducing commercial charbroiling emissions is critical to achieving PM2.5 attainment in the Valley.

The District will amend Rule 4692 (Commercial Charbroiling) in 2016, with a 2017 compliance date, to add emission control requirements for UFCs, as committed to in the District's 2012 PM2.5 Plan. Installing charbroiler emissions control systems during construction of new facilities is likely to result in substantial economic benefit compared to costly retrofitting.

Therefore, the District strongly recommends that your agency require new restaurants that will operate UFCs to install emission control systems during the construction phase. To ease the financial burden for Valley businesses that wish to install control equipment before it is required, the District will offer incentive funding during the time leading up to the 2016 amendment. Restaurants with UFCs may be eligible to apply for funding to add emission control systems. Please contact the District at (559) 230-5858 for more information.

5. Individual development projects may also be subject to the following District rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).
6. The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.
7. The District recommends that a copy of the District's comments be provided to the project proponent.

If you have any questions or require further information, please call Cherie Clark at (559) 230-5940.

Sincerely,

Arnaud Marjollet
Director of Permit Services



For:
Chay Thao
Program Manager

AM: cc

DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 444-2493
FAX (559) 445-5875
TTY 711
www.dot.ca.gov



*Serious drought.
Help save water!*

June 2, 2015

2131-IGR-CEQA
06-FRE-33-61.451
Proposed Autozone Site Plan

Mr. Jeff O'Neal, City Planner
City of Mendota
c/o Provost & Pritchard Consulting Group
286 West Cromwell Avenue
Fresno, California 93711-6162

Dear Mr. O'Neal:

We completed our review of the proposed 3,008 square-foot Autozone site plan that is within Parcel Map Number 14-01, Lot Number 2. The Project proposes to share the existing driveway between Lots 1 and 2 in Parcel Map 14-01. The Project site is located at the northwest corner of State Route (SR) 33 – Derrick Avenue and Belmont Avenues in the City of Mendota. Caltrans has the following comments:

The proposed driveway is approximately 200 feet south of an existing driveway located in the adjacent property to the north and approximately 220 feet north of an existing driveway located in lot 1 of Parcel Map 14-01. The preferred driveway spacing on this section of SR 33 is 300 feet (Stopping Sight Distance). The spacing is based on the posted 40 miles-per-hour speed limit. The proposed driveway location does not meet the preferred spacing. Provisions should be made to provide onsite cross-access between lots within the parcel map and Project traffic should use the existing driveway. All measurements are from centerline of the driveways.

According to our Transportation Concept Report (TCR), this segment of SR 33 in the vicinity of the proposed project is planned for 110 feet. Caltrans right-of-way maps shows this segment existing at 80 feet. The 29 feet shown in Tentative Parcel Map Number 14-01 for future right-of-way is sufficient to accommodate the ultimate right-of-way needs. A summary of the requirements for right-of-way dedications is enclosed.

It is anticipated that this project will impact SR 33/SR 180 and SR 33/Bass Avenue intersections. Based on the Institute of Transportation Engineers Trip Generation Manual (ITE Code 934), it is estimated that 14 trips would be generated in the A.M. peak hour and 14 trips in the P.M. peak hour.

Caltrans has identified the need for various future improvements at the SR 33/SR 180 and SR 33/Bass Avenue intersections. These improvements would accommodate the growing traffic demands in the area. However, in 2014 the City proposed a project to construct a roundabout at this intersection. Caltrans is overseeing this project.

The project would be responsible for its fair share towards the following improvements:

- Add 2 left-turn lanes, right-turn lane, and signalization at SR 33/Bass Avenue.

Mr. Jeff O'Neal
June 2, 2015
Page 2

The construction cost for the improvements was calculated to be \$850,000 with an estimated cost-per-trip of \$667 for SR 33/Bass Avenue intersection. It is anticipated that four trips generated by the project would impact SR 33 intersection at Bass Avenue. The proposed project's fair share for the improvements at these intersections is four trips x \$667 or \$2,668.

If you have any further questions, please contact David Padilla, Associate Transportation Planner, Transportation Planning at (559) 444-2493.

Sincerely,



MICHAEL NAVARRO
Chief, Planning North Branch



123 South Front Street, Memphis, TN 38103 Phone (901)

April 2, 2015

City of Mendota
643 Quince Street
Mendota, CA. 93640

RE: Propose AutoZone Store #3708

Project Address: Derrick Ave. north of Belmont Ave.
Description: New Retail Auto Parts Store
Occupancy: M- Mercantile
Construction: Type VB
Parcel Number: 012-190-21 & 012-190-62
General Plan Designation: Community Commercial
Zoning Designation: C-2
Proposed Use: Commercial – Retail

Operational Statement

AutoZone's history began with the vision of one man: J. R. "Pitt" Hyde III. After receiving his bachelor's degree in economics from the University of North Carolina, he saw a need for a retail automotive parts store to help people with the upkeep of their vehicles so he created Auto Shack. He believed that the characteristics found in supermarkets - clean, well-organized store, accessible products and great customer service - could be applied to the automotive parts business.

On July 4, 1979, Pitt's vision became a reality with the opening of Auto Shack in Forrest City, Arkansas. Today, Auto Shack is AutoZone - a Fortune 500 company and the leading auto parts retailer in the United States with more than \$8.1 billion in annual sales.

In 1998, AutoZone expanded its presence outside the U.S. borders to Mexico, opening our first AutoZone de Mexico store in December 1998. Today, AutoZone serves customers in 48 states, Mexico and Puerto Rico and employs more than 65,000 employees.

Application Request

This application is for a Conditional Use permit and Site Development Permit approval through the City of Mendota's Site Plan Review Process along with a variance request to allow the required parking area be reduced from 21,441 sf required to 18,227 sf.

Location and Description

The subject property is comprised of approximately 46,654.34 square feet or 1.01-acres located on the west side of Derrick Avenue, approximately 400 feet north of the northwest corner of Derrick and Belmont Avenues in Mendota, California. The subject property is a portion of Tentative Parcel Map no. 14-01 dated November 2014 APNs 012-019-62 and 012-019-21.

The Parcel is presently undeveloped. A McDonalds restaurant is planned on the adjacent lot to the South. The property to the north is also undeveloped. Across Derrick Ave. is a grocery store and to the West of the property is residential.

Operational Aspects of Use

This AutoZone retail store will sell auto parts and light truck parts, chemicals such as washes and waxes, and automotive accessories. No installations or services are available. This store will operate from 8:00 am to 10:00 pm, 7 days per week. AutoZone expects to employ 10 – 15 full and part time employees depending on the volume of sales which the store produces. The maximum employees on any one shift would be 6 employees and that shift would occur on Saturdays.

Some light duty interior maintenance and site cleaning will also occur outside of the aforementioned normal business hours. The company will properly maintain the site free of litter and debris. The facility will receive old batteries and used oil. Said materials will be stored and discarded in accordance with applicable regulations.

All building lighting will be hooded and directed so as not to annoy adjacent property owners. All signage will be in accordance with City of Clovis standards.

Site Design

AutoZone is proposing to construct a masonry 7381 sf building which will be roughly 21'-0" tall. The building is proposed to be placed with the front façade facing Derrick Ave. and setback 98' +/- from Derrick Ave. Right of way Large areas of see thru glazing will be visible from this view and will provide visibility into the retail area of the store. An additional set of entrance doors are located on the north elevation near the NE corner of the building, placing the doors in a centrally located location with respect to the parking areas. The parking lot will extend along the north and east, sides of the building. A total 30 parking spaces will be created on-site with two of the spaces designated accessible spaces are identified on the preliminary site plan.

Normally, deliveries to an AutoZone store occur once per week. The loading area is situated to the rear of the building and will not be viewable from the main street. The trash enclosure is situated towards the rear of the building as well and placed for easy accessibility. Entrance to the parcel will be from a new drive entrance to be constructed on the Derrick Ave.. Secondary access will occur thru a drive easement to the rear of the property which connects to Belmont Ave. The parking lot is proposed to be a combination of Asphalt and Concrete.

Infrastructure

AutoZone's water and Sanitary needs will be served by a 1" domestic water line and 4" sanitary line along with a 6" fire sprinkler line, connected to the existing public utility infrastructure in the Fort Jones Rd. right of way.

Construction Staging, Access, and Schedule

All construction equipment and materials would be temporarily stored on the project site during construction. The construction site would be accessed from Fort Jones Rd. The retail project would be constructed during a 4-month period. AutoZone is proposing to construct the project, pending City approvals, starting in late summer of 2015. Construction activities are not anticipated to be phased. The AutoZone will be constructed in one complete phase which normally takes 90 to 120 days from Construction commencement.

Environmental Concerns

The present zoning for this parcel is C-2, Community Commercial. C-2 does not allow AutoMotive Retail uses by right but does allow the use under a Conditional Use permit. AutoZone feels that this proposed development would not have any adverse impacts on the community and is consistent with the current Zoning intentions for this section of Derrick Ave. corridor. The corridor along which this property fronts is predominantly commercially oriented with restaurant uses intermixed and will be a nice addition to this new developing area along with McDonalds.

In addition to the Conditional Use Permit, AutoZone is requesting that the City allow a reduction in the overall Parking area onsite. The Zoning Code requires that we provide 3 sf of parking area per 1 sf of building area. The Floor area of our building is 7,147 sf and would require 21,441 sf of area. The Site Plan submitted is proposing 18,227 sf of area. AutoZone feels that the code requirement doesn't take into account the different types of uses and their own individual parking needs. In essence a fast food restaurant in reality would require more parking than a specialty retail store would.

AutoZone has performed over its history numerous of studies to identify the number of customers and employees that an AutoZone Store would have at any given time, based upon the average Sales projection of the store. The studies looked at timed cash register receipts for the (3) three busiest months of the year for numerous of AutoZone Stores. The maximum number of customers and employees summary is shown in the table below:

Maximum Number of Customers and Employees for an average \$1.7 million in annual sales AutoZone Auto Parts Store would be as follows.

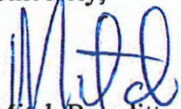
<u>Day</u>	<u>Peak Time</u>	<u>Customers and Employees</u>
Monday	6 p.m. – 8 p.m.	11 – 12
Tuesday	6 p.m. – 8 p.m.	9 – 10
Wednesday	6 p.m. – 8 p.m.	9 – 10
Thursday	6 p.m. – 8 p.m.	9 – 10
Friday	5 p.m. – 8 p.m.	12 – 13
Saturday	10 a.m. – 1 p.m.	16 – 18
Sunday	1 p.m. – 3 p.m.	13 – 14

Average Time Customer spends in store = 10 – 15 minutes

As shown in the table above, the maximum number of customers and employees in the store at any given time for an average \$1.7 million in annual sales AutoZone Store is 18 people on Saturday from 10 a.m. to 1:00 p.m. The proposed AutoZone Store in Mendota, CA has a sales projection of 1.7 million in annual sales. If you take into account the fact that a percentage of those customers will be more than one customer per car. (i.e. carpooling) and a small percentage walk up or pedestrian oriented traffic along with the historical data and research provided, AutoZone can feel comfortable that the 28 parking spaces shown is more than adequately sufficient to serve our customers at this location and maintain the profitability requirements as noted.

AutoZone is pleased to offer this project for review to the Planning Department of the City of Mendota and are confident that this facility will be a welcome addition to this neighborhood and community and feel that it would be in the best interest of the community to approve the Conditional Use Permit for this new development as it will be providing a necessary product and service to the citizens of this community and by providing additional job opportunities for the citizens of Mendota. This will be a quality development from a "Fortune 500" company that desires to be a part of your community for years to come.

Sincerely,



Mitch Bramlitt

Assistant Design Manager

901-495-8714 fax 901-495-8991

Mitch.Bramlitt@AutoZone.com

DATE: June 8, 2015

TO: City of Mendota Planning Commission

FROM: Jeffrey O’Neal, AICP
City Planner

SUBJECT: Public hearing to consider Zoning Text Amendments to implement compliance with California Senate Bill 2 and forward a recommendation to the City Council

Executive Summary

The State of California has determined that provision of opportunities for supportive and transitional housing and locations for emergency shelters is a matter of statewide concern, and has required that cities and counties address these issues within their zoning ordinances. Staff recommends that the Planning Commission adopt Resolution No. PC 15-05, making a recommendation to the City Council that it enact zoning text amendments related to supportive and transitional housing and emergency shelters in compliance with Senate Bill 2.

Background/Proposal

California law (Government Code §§65302(c) and 65580 et seq.) requires that as part of its General Plan the City prepare, adopt, and update a Housing Element at regular intervals. The Housing Element describes demographic characteristics, status and location of residential land, governmental and market-related constraints to providing housing, and the City’s policies related to ensuring housing to all segments of its population. The City’s Housing Element was last updated in 2004, and it is currently in the process, along with the County of Fresno and 11 of its cities, of preparing a multijurisdictional Housing Element to comply with the 2015 requirement.

The Housing Element is the only component of a City’s General Plan that is subject to formal review and certification by an outside entity: the CA Department of Housing and Community Development (HCD). HCD has stated that it will not consider certification of the City’s Housing Element later this year until the City has complied with the provisions of Senate Bill 2 (SB 2). SB 2, which became effective on January 1, 2008, requires that cities and counties allow the operation of supportive and transitional housing within all residential zone districts and amend zoning provisions of at least one zone district to allow operation of emergency shelters. The specific definitions of these terms are contained within the attached draft ordinance.

In general terms, supportive and transitional housing are serve a “target population” of persons who may be homeless, elderly, impoverished, or who meet other conditions who are in need of secure, longer-term housing, while emergency shelters are facilities and accessible to persons on a shorter-term basis. Supportive housing is intended to provide both housing and services to assist residents with improving their health and/or acquiring and maintaining employment. There is no limit of stay. Transitional housing comprises a building or buildings configured as rental housing. It is operated under program parameters such that residents may stay for a

minimum of six months from the beginning of assistance. Emergency shelters are intended as short-term, temporary housing for homeless or displaced persons, with a maximum stay of six total months within any consecutive 12-month period.

Unlike with supportive and transitional housing, which the City is required to allow in any residential zone district without any special permitting requirements (i.e. they are subject to the same standards as typical housing within a particular zone), emergency shelters may be restricted to a specific zone district provided that the City has sufficient properties within that zone to accommodate emergency shelters. For example, Mendota could not make shelters permitted in its S-C (Special Commercial) zone, because no property within Mendota is zoned S-C. HCD recommends that emergency shelters be allowed within a city's light industrial areas; as a result staff proposes that they be permitted within Mendota's M-1 (Light Manufacturing) zone. There is ample vacant M-1 property throughout the City to meet the requirements of SB 2. Further, shelters are subject to a management plan, the proposed provisions of which are also described in the attached draft ordinance.

The draft ordinance language is contained within Attachment "A" to Resolution No. PC 15-05. Specifically, the following changes are proposed:

- The Definitions section of the Zoning Ordinance would be amended to define the terms "supportive housing", "transitional housing", "emergency shelter", and "target population".
- Emergency shelters would be added as a permitted use to the M-1 zone district.
- Section 17.88.025 would be added to the Development Standards Chapter of the Zoning Ordinance. This new section would establish the applicable standards for placement and operation of an emergency shelter.

All of the proposed text amendments relate to the Zoning Ordinance, and are thus subject to recommendation of the Planning Commission. Said recommendation will be forwarded to the City Council for its consideration.

Environmental

The first step in complying with the California Environment Quality Act (CEQA) is to determine whether the activity in question constitutes a "project" as defined in CEQA. The second step is to determine whether the project is subject to or exempt from the statute. This proposal does qualify as a project under CEQA, as enacting or amending a zoning ordinance is specifically referenced in CEQA Guidelines §15378. However, the proposed ordinance amendment does not approve or otherwise authorize any specific activity that would result in a physical change to the environment; it is solely an amendment to regulations. In cases where it can be shown with certainty that the project being considered has no possibility of causing a significant impact to the environment, the project is not subject to CEQA as indicated in Guidelines §15061(b)(3).

Public Notice

Notice of this public hearing was published in the May 29, 2015 edition of *The Business Journal* and posted in the City Hall bulletin window.

Recommendation

Staff recommends that the Planning Commission:

1. Conduct a public hearing to consider any testimony from the public in favor of, in opposition to, or otherwise regarding the proposed text amendments; and
2. Adopt Resolution No. PC 15-05, forwarding a recommendation to the City Council that the zoning text changes attached thereto as Attachment "A" be approved.

**PLANNING COMMISSION
OF THE CITY OF MENDOTA
FRESNO COUNTY, CALIFORNIA**

RESOLUTION No. PC 15-05

**A RESOLUTION OF THE CITY OF MENDOTA PLANNING COMMISSION RECOMMENDING
THAT THE MENDOTA CITY COUNCIL APPROVE ZONING TEXT AMENDMENTS TO ESTABLISH
COMPLIANCE WITH THE PROVISIONS OF CALIFORNIA SENATE BILL 2 (SUPPORTIVE AND
TRANSITIONAL HOUSING AND EMERGENCY SHELTERS)**

WHEREAS, at a special meeting on June 8, 2015, the Mendota Planning Commission did conduct a public hearing to consider testimony regarding proposed zoning text amendments related to the provisions of California Senate Bill 2; and

WHEREAS, Senate Bill 2 became effective on January 1, 2008, and requires that cities make accommodations within their zoning ordinances for the establishment of supportive housing, transitional housing, and emergency shelters; and

WHEREAS, the City of Mendota has not to this point amended the text of its zoning ordinance to make the required accommodations; and

WHEREAS, a notice of said public hearing was published in the May 29, 2015 edition of *The Business Journal* and said notice was posted on the City Hall bulletin window; and

WHEREAS, unless and except where limited by the general laws of the State of California the City of Mendota is empowered by the California Constitution to protect the health, safety, and general welfare of its citizens; and

WHEREAS, to that end, the City has established a codified Zoning Ordinance that, among other things, divides the City into various zoning districts, each permitting or conditionally permitting numerous residential, commercial, industrial, and other uses consistent with the City's General Plan, and establishes development standards applicable within each of those zoning districts; and

WHEREAS, the proposed zoning text changes contained in Attachment "A" to this Resolution will provide for the establishment of supportive housing, transitional housing, and emergency shelters; and

WHEREAS, the Planning Commission finds that the proposed amendments are needed in order for the City of Mendota to comply with a State mandate; and

WHEREAS, pursuant to Mendota Municipal Code §17.08.040, any amendment to the text of the Zoning Ordinance must be considered by the Planning Commission, which will render a recommendation of approval or denial to the City Council; and

WHEREAS, the Planning Commission has determined that the proposed text amendments consist solely of changes to regulations, would not authorize or approve any development, have no potential to significantly impact the environment, and are therefore not subject to the California Environmental Quality Act (CEQA) as indicated in CEQA Guidelines §15061(b)(3).

NOW, THEREFORE BE IT RESOLVED that the City of Mendota Planning Commission does hereby recommend that the City Council adopt the zoning text amendments contained in Attachment "A", which is attached hereto and incorporated herein.

PASSED AND ADOPTED by the Planning Commission of the City of Mendota at a special meeting held on the 8th day of June, 2015, upon a motion by Commissioner _____, a second by Commissioner _____, and by the following vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

ATTEST:

Juan Luna, Chair

Matt Flood, City Clerk

ATTACHMENT "A"

BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MENDOTA AMENDING
SECTIONS 17.04.110 AND 17.60.020 OF AND
ADDING SECTION 17.88.025 TO TITLE 17
OF THE MENDOTA MUNICIPAL CODE
RELATED TO EMERGENCY SHELTERS AND
SUPPORTIVE AND TRANSITIONAL HOUSING

ORDINANCE NO. 15-08

The City Council of the City of Mendota does hereby ordain as follows:

Section 1. Subsection 17.04.110(C) of Section 17.04.110 of Chapter 17.04 of Title 17 the Mendota Municipal Code is hereby amended to add and amend definitions as follows:

"Emergency shelter" means housing with minimal support for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

"Supportive housing " means housing with no limit on length of stay that is occupied by the target population and that is linked to onsite or offsite services that assist residents in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. Supportive housing is a residential use, and is allowed in all districts that allow residential uses subject only to the requirements and restrictions that apply to other residential uses of the same type in the same district.

"Target population" means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Welfare and Institutions Code §4500 et seq.), and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

"Transitional housing" means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. Transitional housing is a residential use, and is allowed in all districts that

ATTACHMENT "A"

allow residential uses subject only to the requirements and restrictions that apply to other residential uses of the same type in the same district.

Section 2. Section 17.60.020 of Chapter 17.60 of Title 17 of the Mendota Municipal Code is hereby amended by addition of the following:

O. Emergency shelters, subject to the provisions of §17.88.025.

Section 3. Section 17.88.025 of Chapter 17.88 of Title 17 of the Mendota Municipal Code is hereby created to read in its entirety as follows:

17.88.025 Emergency shelters.

In addition to the development standards of the underlying zone district, emergency shelters shall be subject to the standards set forth in this section. In the event of conflict between this section and the underlying zone district standards, the provisions of this section shall apply. Nothing in this section modifies the requirements for approval of or the development standards applicable to a religious facility as otherwise provided in this code.

- A. Licensing compliance. An emergency shelter shall comply at all times with any and all local, state, and federal licensing as required for any program incidental to the shelter.***
- B. Physical characteristics. Emergency shelters shall:***
 - 1. Comply with applicable housing and building code requirements.***
 - 2. Have onsite security during all hours when the facility is open at a minimum ratio of one licensed security guard per twenty persons, or portion thereof, utilizing the facility.***
 - 3. Provide exterior lighting on pedestrian pathways and parking lot areas on the property. Lighting shall be deflected away from nearby or abutting residential uses and public rights-of-way.***
 - 4. Provide secure areas for personal property.***
- C. Number of beds. The number of beds provided at an emergency shelter, and the corresponding number of persons served simultaneously, shall not exceed forty.***
- D. Term of stay. The maximum term that a particular person may stay at an emergency shelter shall not exceed an aggregate of six months within any consecutive twelve-month period.***
- E. Parking. Emergency shelters shall provide onsite parking at rate of two spaces per facility for staff plus one space per six beds or portion thereof.***
- F. Management plan. A management plan is required as part of the application for an emergency shelter. The plan shall address management experience, good neighbor issues, transportation, client supervision, client services, and food services, and shall include a floor plan and site plan to demonstrate compliance with the***

ATTACHMENT "A"

physical requirements of this section. In the event that any changes to the operation or the physical facility are proposed, the operator shall submit a revised management plan to the city planner for review and consideration. The city council may establish a fee by resolution to cover the administrative review costs associated with review of the management plan.

Section 4. The City Council of the City of Mendota hereby finds that the text amendments contained herein solely constitute changes to regulations, and do not authorize or approve any development or physical changes. As such, they have no potential to significantly affect the environment, and are therefore not subject to the California Environmental Quality Act (CEQA) as indicated in CEQA Guidelines §15061(b)(3).

Section 5. If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Mendota City Council hereby declares that it would have passed and adopted this ordinance and each and all provisions thereof irrespective of the fact that any one or more of said provisions be declared unconstitutional.

Section 6. Within fifteen (15) days of the adoption of this Ordinance, a summary thereof, including the names of the City Council Members voting for and against it, shall be prepared by the City Attorney for publication in the *Firebaugh-Mendota Journal*, and a certified copy of the Ordinance shall be posted in the office of the City Clerk.

Section 7. This ordinance shall become effective and in full force at 12:00 midnight on the 31st day following its adoption.

* * * * *

The foregoing ordinance was introduced on the XXth day of July, 2015 and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the XXth day of July, 2015 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Robert Silva, Mayor

ATTEST:

ATTACHMENT "A"

Matt Flood, City Clerk

APPROVED AS TO FORM:

Meggin Boranian, City Attorney

DRAFT