

**CITY OF MCFARLAND
PLANNING COMMISSION AGENDA**

**REGULAR MEETING
CITY COUNCIL CHAMBERS
103 W. SHERWOOD AVE, MCFARLAND, CA**

**March 15, 2022
6:00 PM**

In Person Meeting

How to submit public comments:

The meetings of the Planning Commission and all municipal entities, commissions, and boards (“the City”) are open to the public. At regularly scheduled meetings, members of the public may address the city on any item listed on the agenda, or on any non-listed matter over which the city has jurisdiction. At special or emergency meetings, members of the public may only address the city on items listed on the agenda.

There is a time limitation of two minutes per person. For any item that is not on the agenda and within the jurisdiction or interest of the city, please come to the podium at this time. The Brown Act does not permit any action or discussion on items not listed on the agenda. If you wish to speak regarding a scheduled agenda item, please come to the podium when the item number and subject matter are announced, and the Chairman opens Public Comment on the item. When recognized, please begin by providing your name and address for the record (optional). Anyone wishing to submit written information at the meeting needs to furnish ten (10) copies to the City Clerk in advance to allow for distribution to Planning Commission, staff, and the media. Willful disruption of the meeting shall not be permitted. If the Chairman finds that there is in fact willful disruption of any Planning Commission Meeting, he/she may order the disrupting parties out of the room and subsequently conduct the Commission’s business without them present.

Americans with Disabilities Act:

In compliance with the ADA, if you need special assistance to participate in a city meeting or other services offered by the City, please contact the City Clerk’s office, at (661) 792-3091 ext. 2135. Notification of at least 48 hours prior to the meeting, or time when services are needed, will assist the city staff in assuring those reasonable arrangements can be made to provide accessibility to the meeting or services.

CALL TO ORDER: Chairman Marco Martinez

ROLL CALL:

Chairman, Marco Martinez
Vice Chairman, Jose Hernandez Jr.
Commissioner, Jose “Jay” Hernandez
Commissioner, Luis Sarabia
Commissioner, Jim White

PLEDGE OF ALLEGIANCE:

INVOCATION:

PRESENTATIONS:

None

PUBLIC COMMENT: This Portion of The Meeting Is Reserved for Persons Desiring to Address the Commission on Any Matter NOT on This Agenda and Over Which the Commission Has Jurisdiction. Speakers Are Limited to Two (2) Minutes. Please State Your Name and Address for The Record Before Making Presentation. No Action or Discussion Shall Be Taken on Any Item Not Appearing on The Agenda, Except That Any Planning Commissioner May Briefly Respond to Statements Made, Or Questions Posed, By Members of The Public. Concerns Or Complaints Will Be Referred to The Community Development Director's Office.

PUBLIC HEARINGS:

None

CONSENT ITEMS: The Consent Agenda consists of items that in staff's opinion are routine and non-controversial. These items are approved in one motion unless the Planning Commission removes a particular item.

1. Approval of February 15, 2022 Regular Planning Commission Meeting Minutes.

PLANNING DISCUSSION ITEMS:

2. Report, Discuss and Approve **Resolution No. 2022-0002 PC** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND APPROVING SITE PLAN REVIEW 2022-001 A PROPOSAL TO CONSTRUCT A MULTI-FAMILY APARTMENT COMMUNITY LOCATED WEST OF EL BUEN PASTOR CHURCH ON SHERWOOD AVENUE AND WEST OF THE RAILROAD AND HWY-99 AS REFLECTED IN EXHIBIT A AND CONDITIONED IN EXHIBIT B.
3. Report, Discuss, and Approve **Resolution No. 2022-0003 PC** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN ALTERNATE IMPROVEMENT STANDARD TO BE UTILIZED IN TRACT 7393 AND TRACT 7394.

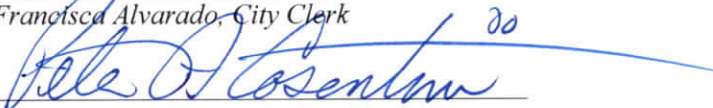
COMMISSIONER COMMENTS:

On Their Own Initiative, Commission Members May Make an Announcement or A Report on Their Own Activities. They May Ask a Question for Clarification, Make Referral to Staff, Or Take Action to Have Staff Place a Matter of Business on A Future Agenda (Government Code Section 54954.2(A)).

ADJOURNMENT:

This Is to Certify This Agenda Was Posted at McFarland City Hall on **March 11, 2022.**



Francisca Alvarado, City Clerk

Peter Cosentini, Assistant City Manager

Kenneth Williams, City Manager/ Chief of Police

Next Regular Planning Commission Meeting **April 19, 2022.**

The City of McFarland Does Not Discriminate Based on Disability and Complies with The Provisions of The Americans with Disabilities Act (Ada). If You Need Special Assistance to Participate in This Meeting, Please Contact the City Clerk's Office At (661) 792-3091 At Least 48 Hours Prior To The Meeting to Make Reasonable Arrangements to Ensure Accessibility to This Meeting.

CITY OF MCFARLAND REGULAR PLANNING COMMISSION MINUTES
In Person Meeting
February 15, 2022

CALL TO ORDER

Chairman Marco Martinez called the meeting to order at 6:00 p.m.

ROLL CALL

Commissioners Present: Martinez (Chairman), White (via Zoom), Jose “Jay” Hernandez (via Zoom), J. Hernandez Jr., L. Sarabia

Commissioners Absent: None

OFFICIALS PRESENT

Interim Community Development Director Ronk, City Clerk Alvarado

PLEDGE OF ALLEGIANCE

Commissioner J. Hernandez Jr.

INVOCATION

Chairman Marco Martinez

PRESENTATIONS AND PROCLAMATIONS

1. **San Joaquin Renewables Presentation by:** T. J. Paskach President – *(via Zoom)*

T. J. Paskach president of San Joaquin Renewables gave presentation about project.

A Q and A was held.

PUBLIC COMMENTS

None

PUBLIC HEARINGS

None

CONSENT ITEMS

2. Motion was made by: **Commissioner White** to approve the December 21, 2021, Regular Planning Commission Meeting Minutes 2nd by: **Commissioner Jay Hernandez.**

Vote: 5/0

Ayes: J. L. Hernandez, White, J. Hernandez Jr., Sarabia, Martinez (Chairman)

Nays: None

Absent: None

Abstentions: None

3. Motion was made by: **Commissioner White** to approve the January 18, 2022 Regular Planning Commission Meeting Minutes 2nd by: **Commissioner J. L. Hernandez**.
Vote: 5/0
Ayes: J. L. Hernandez, White, J. Hernandez Jr., Sarabia, Martinez (Chairman)
Nays: None
Absent: None
Abstentions: None

PLANNING DISCUSSION ITEMS

4. Motion was made by: Chairman Martinez to Approve **Resolution No. 2022-0001PC** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND RECOMMENDING THAT THE CITY COUNCIL OF MCFARLAND CONSIDER AND APPROVE THE ADOPTION OF THE PROPOSED **ZONE CHANGE 2022-001**. A PROPOSED ZONE CHANGE REQUEST FROM SINGLE-FAMILY RESIDENTIAL (R-1) TO MULTI-FAMILY RESIDENTIAL (R-3) FOR PROPERTY ON THE CORNER OF 3RD STREET AND LOCKWOOD AVENUE AS REFLECTED IN EXHIBIT B: 2nd by: J. Hernandez Jr.
Vote: 5/0
Ayes: J. L. Hernandez, White, J. Hernandez Jr., Sarabia, Martinez (Chairman)
Nays: None
Absent: None
Abstentions: None

COMMISSIONER COMMENTS

Commissioner L. Sarabia- Requested an update on the Countryside gas station project (East Side).

City Planner De Leon gave a brief update on it.

Commissioner J. Hernandez Jr. – Requested an update on the EV Charging Station status (East Side).

Interim Community Development Director L. Ronk gave a brief update on it.

Commissioner White- Requested an update on Annexation 18 LAFCO meeting.

Interim Community Development Director gave update on status of Annexation 18 and LAFCO.

ADJOURNMENT

Meeting adjourned at 6:51 p.m.

Francisca Alvarado, City Clerk



PLANNING COMMISSION STAFF REPORT

March 15, 2022

TO: Chair and Planning Commissioners
FROM: Brianahi De Leon
City Planner
Larry Ronk
Interim Community Development
Director

DATE: March 15, 2022

DEVELOPER: Sherwood Milestone Family Apartments, LP

PROJECT DESCRIPTION: Site Plan Review No. 22-001

ENVIRONMENTAL DOCUMENT: Exempt

APPLICANT: Sherwood Milestone Family Apartments, LP

OWNER: Marcus Griffin

APN: 201-010-36-00-6

ADDRESS: 780 Sherwood - West of El Buen Pastor Church on Sherwood Avenue.

SIZE OF SITE: Approx. 3.036 acres

GENERAL PLAN DESIGNATION: Residential

ZONE DISTRICT: R-4

Agenda Item	
Presentation	
Consent	
Unfinished Business	
New Business	x
Public Hearing	
Other	
Action Requested	
Ordinance	
Resolution	x
Motion	
Other	

STAFF RECOMMENDATION

The staff recommends planning commission approve Resolution No. 2022-0002 and Site Plan Review No. 22-001.

PROJECT DESCRIPTION

The project is located West of El Buen Pastor Church on Sherwood Avenue. The property is designated as R-4 residential and will remain that zone. This project came to Planning Commission in June 2021 for a Parcel Map Waiver and was approved. Today staff brings

forward a site plan review for the multi-family project. The projects consist of four 3-story multifamily buildings with a total of 81 units. The site plan review was conducted through the Community Development Department. The project will include solar panels, laundry facility, club house with a tech room, community garden, and other various amenities. The grant that the developer and City received will assist in implementing additional bus stops to transport residents to and from the surrounding cities. The grant will also aid in improving infrastructure around the project.

ENVIRONMENTAL REVIEW

The proposed Site Plan is categorically exempt from the requirements of the California Environmental Quality Act subject to Section 15332. This project meets all of these conditions.

Section 15332 therefore it is categorically exempt in the In-Fill Development Projects which states *"Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.(c) The project site has no value, as habitat for endangered, rare or threatened species.(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.(e) The site can be adequately served by all required utilities and public services."*

FINDINGS

The proposed Site Plan is consistent with the general plan. The zoning will remain as a R-4

ACTION

The staff recommends planning commission approve Resolution No. 2022-0002 and Site Plan Review No. 22-001.

Attachment 1 – Vicinity Map

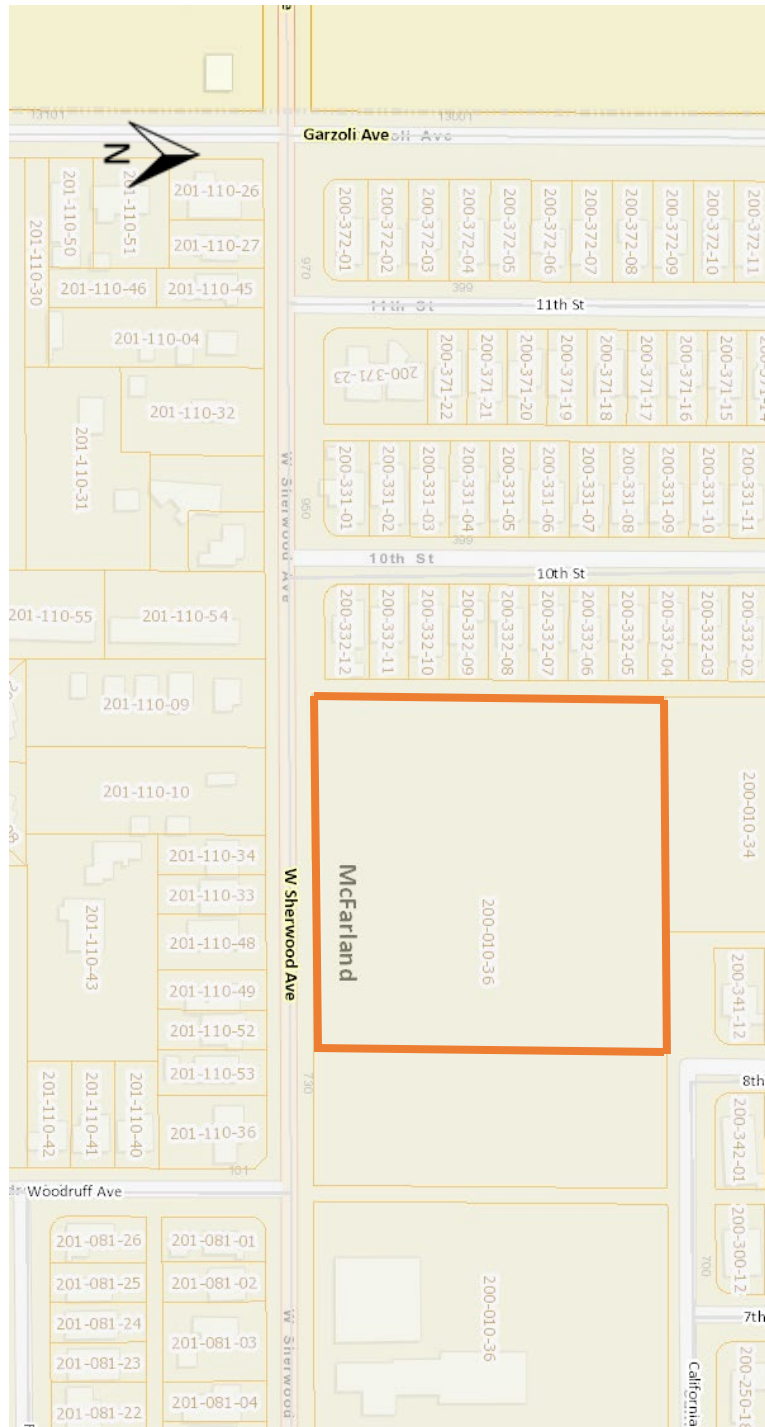
Attachment 2 – Aerial Photograph

Attachment 3 – Proposed Site Plan

Attachment 4 – Conditions of Approval

ATTACHMENT 1

Vicinity Map

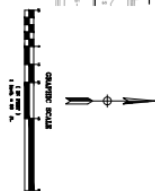


ATTACHMENT 2

Aerial photograph



DRAWING NAME: \\BKF-S\A\14-2021\211512_Sherwood_Family_Apartments\DWG\CD\SHEETS\04.0 SITE-PLAN.dwg
PLOT DATE: 05-04-22 PLOTTED BY: enric

[illegible]



KTCY Group, Inc. Ste. 200
 Irvine, California 92614
 Tel: 949.211.3133



BKF Project No:
 17016, 17017, 17018
 17019, 17020, 17021
 17022, 17023, 17024
 17025, 17026, 17027

Project Contact: Jimmy Marabito
Email: jmarabito@ktcy.com
Project Designer: www.ktcy.com
After Adv:

Developer:
 Marabito Heating Group, LLC
 481 N. State, CA 92603
 PHONE NO: (714) 254-8126
 FAX NO:

SHERWOOD
MCFARLAND, CA

[illegible]

License Stamp
SITE PLAN

C4.0

03/04/2022 - 3RD PLAN CHECK SUBMITTAL

ATTACHMENT 4
Conditions of Approval

1. This project is conditioned upon the Developer defending, indemnifying, and holding harmless the City, its agents, officers, consultants, and /or employees. (Add this note to cover sheet of construction plans).
2. The safety and security of the project must satisfy Local, County, State, Federal ordinances, California Building Code, and California Occupational Safety and Health Association (CAL/OSHA).
3. This project is subject to applicable District, Local, City, County, State, And Federal statutes, ordinances, regulations, standards and policies.
4. The developer shall obtain necessary permits and/or approvals from all agencies having jurisdiction over property being mapped.
5. Utilities shall be installed underground in accordance with each of the utility company requirements and with the City requirements.
6. The Developer shall dedicate public utility easements within the development where required by the City and affected utilities.
7. Provide current Title Report (30 days or less) in PDF format with links to all recorded documents affecting property. Show all easements on plans.
8. Improvements shall comply with current American with Disabilities Act (ADA) Standards and regulations. (All facilities to provide ADA access). Plans sections and details to show compliance.
9. The applicant shall provide written documentation from the Division of Oil and Gas that there are no abandoned wells in the proximity of the project site. If there are abandoned wells in the area, the applicant should obtain written approval from the Division of Oil and Gas for the construction of any improvements over or in the proximity of an abandoned well location. Any habitable structures shall be set back per the requirements of the Division of Oil and Gas.
10. All improvements shall comply with current City of McFarland and Kern County Development Standards.
11. Plans must be signed and stamped by a California Registered Engineer. Per PE Act 6735(a).
12. The following notes shall appear on all grading and construction plans cover sheet(s):
 - a) Any items in public Right-of-way that are damaged or do not meet current standards set by Public Works will require repairing and/or upgrading as per City Engineer.
 - b) An open street permit shall be obtained from the City of McFarland Public Works Department for any work performed within existing accepted street right of way. Unless secured by a subdivision agreement, security based on an approved engineer's estimate for the work performed within the right of way and insurance as required shall be provided prior to issuance of a permit.
 - c) Should any cultural materials be discovered during any grading or development, all work shall be halted, and a qualified archaeologist/ historian shall be contacted to

assess the finds and impose mitigation measures, if necessary, prior to the resumption of construction.

- d) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5).
 - e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM-10 (particulates) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions.
 - f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions.
 - g) Construction speed limits will be posted at fifteen miles per hour (15 mph).
 - h) During grading and construction, all activities adjacent to residential development shall be limited to 7:00 a.m. to 7:00 p.m., Monday thru Friday. Construction will not be allowed on weekends or federal holidays.
13. Standard notes to be included in the grading plan cover sheet:
- a) All grading shall conform with App. J - California Building Code and standards thereof and preliminary soils report by _____, dated _____.
 - b) The Design Engineer shall exercise sufficient supervision control during grading and construction to ensure compliance with the plans, soils report, specifications, and code within his purview.
 - c) Grading work shall be supervised as engineered grading in accordance with App. J of the California Building Code.
14. The following note shall appear on all grading plan and construction plans cover sheet(s):
- If the project is subject to the provisions of the National Pollutant Discharge Elimination System (NPDES), a "Notice of Intent" (NOI) to comply with the terms of the General Permit to Discharge Storm Water Associated with Construction Activity (SWRCB ORDER NO. 2009-009-DWQ AS AMENDED BY ORDER 2010-0014-DWQ AND ORDER 2012-0006-DWQJ must be filed with State Water Resources Control Board in Sacramento before the beginning of any construction activity. Compliance with the general permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared, continuously carried out, and always be available for public inspection during normal construction hours. Waste Discharge Identification (WDID) Number _____ has been issued by the State Water Resources Board for this project.
15. Provide calculations for any non-standard wall signed and sealed by a civil engineer or structural engineer.
16. Sherwood Ave shall be improved per City Std. R-2 for the half ROW in front of the project after all utility connections have been constructed. Construct a 20 ft wide alley per Kern County Plate R-28 along the west property boundary.
17. All storm water generated on the project site shall be retained onsite. Provide storm water drainage study, performed by a registered civil engineer, for the 10-year 5-day storm event per Kern County Standards. The proposed method of storm drainage

disposal along with drainage calculations to support the proposed method of disposal shall be submitted to the City of McFarland Public Works Department and approved by the City Engineer. Storm drainage protection and disposal of water into and from the development shall be by a method approved by the City Engineer.

18. Provide percolation testing at the location of the proposed sump, per Kern County Section 408-8.02.
19. 20. The applicant shall obtain a State Water Resources Control Board Permit for Construction prior to the approval of the grading plan.
20. With the grading plan the developer shall prepare a SWPPP/BMP's and retain copy at the construction site to follow all SWPPP and BMP's practices.
 - Projects which disturb one (1) acre or more of land: The Developer shall provide a Storm Water Pollution Prevention Plan (SWPPP) that has been designed, specific to its site, conforming to the State Storm water NPDES Construction Permit. The plan shall be prepared by a Qualified SWPPP Developer/Practitioner. The SWPPP shall be submitted to the City for review and approval.
21. Provide Preliminary Soils Report to address all on-site and offsite improvements. All improvements to include buildings/paving/concrete structural sections, utility trenches and chemical reactivity.
22. The developer shall be responsible for the installation of street striping, stop signs, or any other traffic safety devices as required by the City Standards and City Engineer.
23. Provide complete Engineer's Cost Estimate for the project's off-site improvement on City's right-of-way, signed by a California Registered Civil Engineer. Use current Kern County Development Standards Division Seven Sec. 701-1 to Sec. 702-9, available at: <https://kernpublicworks.com/building-and-development/engineering/development-standards/division-seven-construction-security/>. The Engineer's Estimate shall include a contingency factor, per the Kern County Standards Division 7, to compensate for the effect of inflation and any changes in construction during the life of the project.
24. The developer shall meet all regulations of the San Joaquin Valley Air Pollution Control District (Regulation VIII) concerning dust suppression during construction of the project. Methods include but are not limited to: use of water or chemical stabilizer/suppressants to control dust emission from disturbed area, stockpiles, and accessways; covering or wetting materials that are transported off-site; limit construction-related speed to 15 mph on all unpaved areas/washing of construction vehicles before they enter public streets to minimize carryout/trackout; and cease grading and earth moving during periods of high winds (20mph or more).
25. Address all red-line comments on plans, drainage report and Preliminary Engineer's Estimate.
26. Use revision Table when revisions are made (i.e. resubmittal of plans).
27. DEVELOPER MUST ANNEX TO THE CITY OF MCFARLAND COMMUNITY FACILITIES DISTRICTS (CFDS) FOR: LANDSCAPING AND STREET MAINTENANCE CFD 2017-2; POLICE SERVICES CFD 2017-1; AND FIRE PROTECTION CFD 2019-1.



PLANNING COMMISSION STAFF REPORT

March 15, 2022

TO: Chair and Planning Commissioners

FROM: Brianahi De Leon
City Planner
Larry Ronk
Interim Community Development
Director

DATE: March 15, 2022

DEVELOPER: Leora, LLC

PROJECT DESCRIPTION: Alternate Improvement Standard

ENVIRONMENTAL DOCUMENT: Exempt

APPLICANT: Leora, LLC / Dr. Hair

OWNER: Dr. Hair

APN: 060-090-29

ADDRESS: West of Garzoli Ave. and South of Taylor Ave.

SIZE OF SITE: The frontage of each lot

GENERAL PLAN DESIGNATION: Residential

ZONE DISTRICT: R-1

Agenda Item	
Presentation	
Consent	
Unfinished Business	
New Business	x
Public Hearing	
Other	
Action Requested	
Ordinance	
Resolution	x
Motion	
Other	

STAFF RECOMMENDATION

Applicant is seeking the approval of resolution ____ and approval of an alternate improvement standard. Staff does not recommend approval.

PROJECT DESCRIPTION

The project is located West of Garzoli Ave. and South of Taylor Ave. The property is designated as R-1 Residential. The site plan review and development agreement were approved by

Planning Commission and City Council last year. Today, applicant and developer, Dr. Hair, is seeking for approval of an alternate improvement standard. The City Improvement Standards, shown in Attachment 2, you'll find the current pavement design standard. Dr. Hair is seeking for the city to approve of his alternate design standard shown in Attachment 3. Staff reviewed the request, and it was rejected by Assistant City Manager and City Manager. Attached in Attachment 4 is the Alternate Improvement Standard from the City of Porterville. In Attachment 1 you'll find the applicants letter of request.

ENVIRONMENTAL REVIEW

The proposed Site Plan is categorically exempt from the requirements of the California Environmental Quality Act subject to Section 150661 (b)(3). This project meets all of these conditions.

Section 150661 therefore it is categorically exempt in the "Common Sense" which states, "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

FINDINGS

Department & Reasons for denying	
Assistant City Manager	- Liability of car damage/claims - o Creating a curb standard that damages lower built vehicles is poor public policy and should be denied.
Public Works Department	- Aesthetics - Scrapping cars - o Based on prior experience with rolled curb - Regular curbs/ Barrier curbs are better at channeling stormwater
Community Development Department	- Code Enforcement - o Parking on grass frontage leading to more tickets - No visibility of rolled curb at night - o May lead to injuries - Continuous driving over rolled curb leads to scrapping of car and suspension.

ACTION

Applicant is seeking the approval of resolution ____ and approval of an alternate improvement standard. Staff does not recommend approval.

Attachment 1 – Letter from Applicant

Attachment 2 – Current Improvement Standard

Attachment 3 – Alternate Improvement Standard

Attachment 4 – Alternate Improvement Standard – City of Porterville

ATTACHMENT 1

Letter from Applicant

LeOra, LLC

6501 Fruitvale Avenue, Bakersfield, CA 93308

Michael F. Hair mh@yourvalleybuilder.com



City of McFarland Planning Commission
c/o City of McFarland Planning Department
401 W. Kern Ave.
McFarland, CA 93250
Re: Vesting Tentative Tract 7393

March 3, 2022

Planning Commissioners;

In accordance with Section 16.40.020 of the City of McFarland Municipal Code, we hereby request a design exception to the development standards to permit a modified rolled curb & gutter along the front of lots within proposed Vesting Tentative Tract 7373 in lieu of a 6" Type "A" curb and gutter. We believe this will facilitate the development of the subdivision and enhance the aesthetic presentation of the community. (See attached exhibits)

We make this request based upon the following:

1. The rolled curb & gutter will eliminate the need for excessive ADA by-pass walkways around standard driveway approaches.
2. Utilities and above ground structures will be located behind the sidewalks out of the way of ADA path of travel. Street lights can be located behind sidewalk and not in the sidewalk. In addition, utility boxes and transformers will be further away from houses.
3. Will provide for a consistent ADA sidewalk and also eliminate the 10 foot wide sidewalks between two homes. Visually it will look better and function better for pedestrians.
4. There are no health, safety or public welfare issues in construction of the modified rolled curb & gutter.
5. Modified rolled curb & gutter will be located along the front of lots only. Standard 6" Type "A" curb & gutter will be constructed along the side of lots, along the exterior streets, along corner radius handicapped ramps and in front of the drainage basin lot.
6. Less concrete sidewalk will mean less maintenance by the City in the long term.
7. City of Shafter, City of Delano & City of Porterville allows rolled curb & gutter in front of homes. (See enclosed standard for roll type curb in Porterville.)

Sincerely,

Michael Hair
LeOra LLC



ATTACHMENT 2

Current Improvement Standard



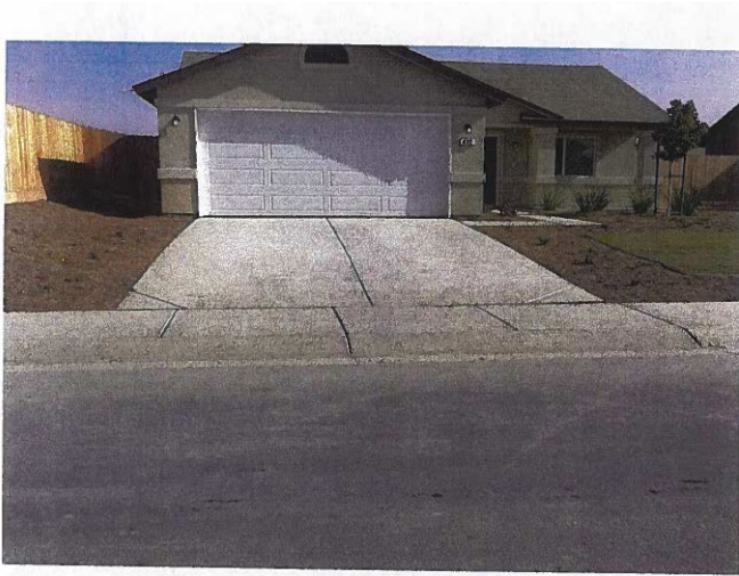
Driveway without rolled curb & gutter



Driveways without rolled curb & gutter

ATTACHMENT 3

Alternate Improvement Standard



Driveway with rolled curb & gutter



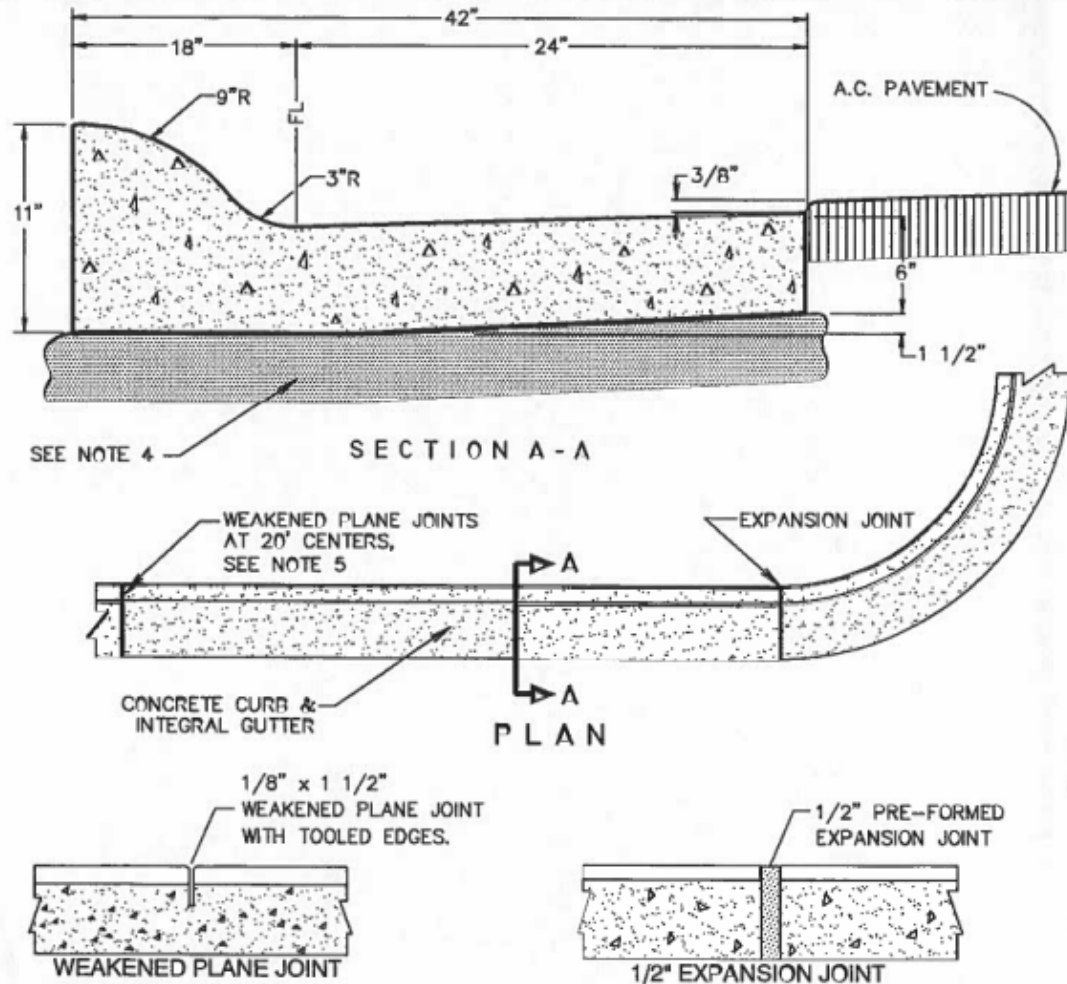
Rolled curb & gutter



Utility boxes with rolled curb & gutter

ATTACHMENT 4

Alternate Improvement Standard – City of Porterville



NOTES :

1. CONCRETE WORK SHALL BE 2500 P.S.I. DESIGN (5 SACK MIX). 4" MAX. SLUMP.
2. ALL CONCRETE SHALL HAVE A LIGHT BROOM FINISH, EXCEPT AS NOTED.
3. EXPANSION JOINTS AT CURB RETURN ENDS AND CURVE AT WALK RETURNS.
4. WEAKENED PLANE JOINTS AT DRIVEWAY APPROACHES, AND AT 20' SPACING, PER STANDARD SPECIFICATIONS. (SEE STD. DWG. C-12). WEAKENED PLANE JOINTS SHALL BE A MIN. DEPTH OF 1 1/2" AND SHALL BE FINISHED WITH A SCORING TOOL LEAVING THE EDGES ROUNDED.
5. REFER TO STANDARD PLAN C-13.
6. FINISHED SURFACES SHALL BE TREATED WITH CLEAR CURING COMPOUND COMPLYING WITH SECTION 201-4 OF THE STANDARD SPECIFICATIONS.
7. EXTRUDED CURB SHALL BE APPROVED BY THE CITY ENGINEER PRIOR TO PLACEMENT. CONCRETE USED FOR EXTRUDED CURB AND GUTTER SHALL HAVE A MAX. SLUMP OF 1 1/2".
8. ALL EXPOSED SURFACES OF CURB AND GUTTER SHALL NOT VARY IN EXCESS OF .02' WHEN AN 8' STRAIGHT EDGE IS PLACED ON THE SURFACE, EXCEPT AT GRADE CHANGES OR CURVES.
9. REPAIRS SHALL BE MADE BY REMOVING & REPLACING THE ENTIRE UNIT BETWEEN JOINTS.

CITY OF PORTERVILLE
ENGINEERING DIVISION

Baldwin Rogers 9-04
DIRECTOR OF PUBLIC WORKS (R.C.E. 45304) DATE

**CURB AND GUTTER
ROLL TYPE**

C-2

REV.

RESOLUTION NO. 2022-0002 PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND APPROVING SITE PLAN REVIEW 2022-001 A PROPOSAL TO CONSTRUCT A MULTI-FAMILY APARTMENT COMMUNITY LOCATED WEST OF EL BUEN PASTOR CHURCH ON SHERWOOD AVENUE AND WEST OF THE RAILROAD AND HWY-99 AS REFLECTED IN EXHIBIT A AND CONDITIONED IN EXHIBIT B

WHEREAS, Marcus Griffin has filed an application for Site Plan Review 2022-001 a proposal to construct a multi-Family apartment community; and

WHEREAS, the project location is generally located West of El Buen Pastor Church on Sherwood Avenue and West of the railroad and hwy-99; and

WHEREAS, the project site is located on Assessor's Parcel Number 201-010-36-00-6.

WHEREAS, said application has been made in the form and manner prescribed by Title 17 Zoning of the McFarland Municipal Code; and

WHEREAS, it has been determined that Site Plan Review 2022-001 is exempt from the California Environmental Quality Act (CEQA) per Section 15332 In-fill Development; and

WHEREAS, the Planning Commission, through its clerk, did set Tuesday March 15, 2022, at the hour of 6:00 p.m. in the Council Chambers located at 103 W. Sherwood Ave, McFarland California as the time and place for Site Plan Review 2022-001; and

WHEREAS, the Planning Commission received both written and oral testimony on Site Plan Review 2022-001.

NOW THEREFORE BE IT RESOLVED, by the Planning Commission of the City of McFarland that it hereby finds and determines as follows:

- 1) The foregoing recitals are true and correct.
- 2) The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 Existing Facilities.
 - a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as all applicable zoning designation(s) and regulations.
 - b) The proposed development occurs within the city limits on a project site of no more than five (5) acres substantially surrounded by urban uses.
 - c) The project site has no value as habitat for endangered, rare or threatened species.
 - d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality.
- 3) Site Plan review 2022-001 is consistent with the goals and policies of the City of McFarland General Plan and with the uses, density and intensity standards of the General Plan Residential land use designation.
- 4) Site Plan Review 2022-001 is hereby approved, subject to the Site Plan Review in exhibit A and the conditions in exhibit B.
- 5) Any decision by the Planning Commission shall be final unless within fifteen (15) days of the date of the decision unless the applicant or any other person appeals the Planning Commission decision in the matter set forth in Section 17.148.100(b) of the McFarland Municipal Code.

I hereby certify that the foregoing is a full, true and correct copy of the resolution of the Planning Commission of the City of McFarland at a meeting held on Tuesday, March 15, 2022, moved by _____ and seconded by _____ duly adopted and passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND.

Attest:

Approved:

Francisca Alvarado
City Clerk

Marco Martinez
Chairman

EXHIBIT A



EXHIBIT B

1. This project is conditioned upon the Developer defending, indemnifying, and holding harmless the City, its agents, officers, consultants, and /or employees. (Add this note to cover sheet of construction plans).
2. The safety and security of the project must satisfy Local, County, State, Federal ordinances, California Building Code, and California Occupational Safety and Health Association (CAL/OSHA).
3. This project is subject to applicable District, Local, City, County, State, And Federal statutes, ordinances, regulations, standards and policies.
4. The developer shall obtain necessary permits and/or approvals from all agencies having jurisdiction over property being mapped.
5. Utilities shall be installed underground in accordance with each of the utility company requirements and with the City requirements.
6. The Developer shall dedicate public utility easements within the development where required by the City and affected utilities.
7. Provide current Title Report (30 days or less) in PDF format with links to all recorded documents affecting property. Show all easements on plans.
8. Improvements shall comply with current American with Disabilities Act (ADA) Standards and regulations. (All facilities to provide ADA access). Plans sections and details to show compliance.
9. The applicant shall provide written documentation from the Division of Oil and Gas that there are no abandoned wells in the proximity of the project site. If there are abandoned wells in the area, the applicant should obtain written approval from the Division of Oil and Gas for the construction of any improvements over or in the proximity of an abandoned well location. Any habitable structures shall be set back per the requirements of the Division of Oil and Gas.
10. All improvements shall comply with current City of McFarland and Kern County Development Standards.
11. Plans must be signed and stamped by a California Registered Engineer. Per PE Act 6735(a).
12. The following notes shall appear on all grading and construction plans cover sheet(s):
 - a) Any items in public Right-of-way that are damaged or do not meet current standards set by Public Works will require repairing and/or upgrading as per City Engineer.
 - b) An open street permit shall be obtained from the City of McFarland Public Works Department for any work performed within existing accepted street right of way. Unless secured by a subdivision agreement, security based on an approved engineer's estimate for the work performed within the right of way and insurance as required shall be provided prior to issuance of a permit.
 - c) Should any cultural materials be discovered during any grading or development, all work shall be halted, and a qualified archaeologist/ historian shall be contacted to assess the finds and impose mitigation measures, if necessary, prior to the resumption of construction.
 - d) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5).
 - e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM-10 (particulates) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions.
 - f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions.
 - g) Construction speed limits will be posted at fifteen miles per hour (15 mph).
 - h) During grading and construction, all activities adjacent to residential development shall be limited to 7:00 a.m. to 7:00 p.m., Monday thru Friday. Construction will not be allowed on weekends or federal holidays.

13. Standard notes to be included in the grading plan cover sheet:
 - a) All grading shall conform with App. J - California Building Code and standards thereof and preliminary soils report by _____, dated _____.
 - b) The Design Engineer shall exercise sufficient supervision control during grading and construction to ensure compliance with the plans, soils report, specifications, and code within his purview.
 - c) Grading work shall be supervised as engineered grading in accordance with App. J of the California Building Code.
14. The following note shall appear on all grading plan and construction plans cover sheet(s):

If the project is subject to the provisions of the National Pollutant Discharge Elimination System (NPDES), a "Notice of Intent" (NOI) to comply with the terms of the General Permit to Discharge Storm Water Associated with Construction Activity (SWRCB ORDER NO. 2009-009-DWQ AS AMENDED BY ORDER 2010-0014-DWQ AND ORDER 2012-0006-DWQJ must be filed with State Water Resources Control Board in Sacramento before the beginning of any construction activity. Compliance with the general permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared, continuously carried out, and always be available for public inspection during normal construction hours. Waste Discharge Identification (WDID) Number _____ has been issued by the State Water Resources Board for this project.
15. Provide calculations for any non-standard wall signed and sealed by a civil engineer or structural engineer.
16. Sherwood Ave shall be improved per City Std. R-2 for the half ROW in front of the project after all utility connections have been constructed. Construct a 20 ft wide alley per Kern County Plate R-28 along the west property boundary.
17. All storm water generated on the project site shall be retained onsite. Provide storm water drainage study, performed by a registered civil engineer, for the 10-year 5-day storm event per Kern County Standards. The proposed method of storm drainage disposal along with drainage calculations to support the proposed method of disposal shall be submitted to the City of McFarland Public Works Department and approved by the City Engineer. Storm drainage protection and disposal of water into and from the development shall be by a method approved by the City Engineer.
18. Provide percolation testing at the location of the proposed sump, per Kern County Section 408-8.02.
19. 20. The applicant shall obtain a State Water Resources Control Board Permit for Construction prior to the approval of the grading plan.
20. With the grading plan the developer shall prepare a SWPPP/BMP's and retain copy at the construction site to follow all SWPPP and BMP's practices.
 - Projects which disturb one (1) acre or more of land: The Developer shall provide a Storm Water Pollution Prevention Plan (SWPPP) that has been designed, specific to its site, conforming to the State Storm water NPDES Construction Permit. The plan shall be prepared by a Qualified SWPPP Developer/Practitioner. The SWPPP shall be submitted to the City for review and approval.
21. Provide Preliminary Soils Report to address all on-site and offsite improvements. All improvements to include buildings/paving/concrete structural sections, utility trenches and chemical reactivity.
22. The developer shall be responsible for the installation of street striping, stop signs, or any other traffic safety devices as required by the City Standards and City Engineer.
23. Provide complete Engineer's Cost Estimate for the project's off-site improvement on City's right-of-way, signed by a California Registered Civil Engineer. Use current Kern County Development Standards Division Seven Sec. 701-1 to Sec. 702-9, available at: <https://kernpublicworks.com/building-and-development/engineering/development-standards/division-seven-construction-security/>. The Engineer's Estimate shall include a contingency factor, per the Kern County Standards Division 7, to compensate for the effect of inflation and any changes in construction during the life of the project.
24. The developer shall meet all regulations of the San Joaquin Valley Air Pollution Control District (Regulation VIII) concerning dust suppression during construction of the project.

Methods include but are not limited to: use of water or chemical stabilizer/suppressants to control dust emission from disturbed area, stockpiles, and accessways; covering or wetting materials that are transported off-site; limit construction-related speed to 15 mph on all unpaved areas/washing of construction vehicles before they enter public streets to minimize carryout/trackout; and cease grading and earth moving during periods of high winds (20mph or more).

25. Address all red-line comments on plans, drainage report and Preliminary Engineer's Estimate.
26. Use revision Table when revisions are made (i.e. resubmittal of plans).
27. DEVELOPER MUST ANNEX TO THE CITY OF MCFARLAND COMMUNITY FACILITIES DISTRICTS (CFDS) FOR: LANDSCAPING AND STREET MAINTENANCE CFD 2017-2; POLICE SERVICES CFD 2017-1; AND FIRE PROTECTION CFD 2019-1.

RESOLUTION NO. 2022-0003 PC

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND
RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN ALTERNATE IMPROVEMENT
STANDARD TO BE UTILIZED IN TRACT 7393 AND TRACT 7394.**

WHEREAS, Michael Hair Sr., Leora LLC, has filed an application seeking the approval of the McFarland Planning Commission for an alternate improvement standard; and

WHEREAS, said application has been made in the form and manner prescribed by Title 16 Subdivisions of the McFarland Municipal Code; and

WHEREAS, the project location is generally located West of Garzoli Avenue and South of the Taylor Ave; and

WHEREAS, the project site is located on Assessor's Parcel Number 060-090-29; and

WHEREAS, it has been determined that the requested change in improvement requires approval by Planning Commission and City Council; and

WHEREAS, the Planning Commission, through its clerk, did set Tuesday March 15, 2022, at the hour of 6:00 p.m. in the Council Chambers located at 103 W. Sherwood Ave, McFarland California as the time and place for approval of alternate improvement standard; and

WHEREAS, the requested alternate improvement standard is set forth in Exhibit A, which is attached hereto; and

WHEREAS, the Planning Commission received both written and oral testimony on alternate improvement standard request.

NOW THEREFORE BE IT RESOLVED, by the Planning Commission of the City of McFarland that it hereby finds and determines as follows:

- 1) The foregoing recitals are true and correct.
- 2) The alternate improvement standard does comply with State regulation for ADA.
- 3) The alternate improvement standard is an engineered design.
- 4) The alternate design is set forth in Exhibit A.
- 5) Any decision by the Planning Commission shall be final unless within fifteen (15) days of the date of the decision unless the applicant or any other person appeals the Planning Commission decision in the matter set forth in Section 17.148.100(b) of the McFarland Municipal Code.
- 6) The Planning Commission recommends the City Council approve the alternate improvement standard be utilized in the development of Tract 7393 and 7394.

I hereby certify that the foregoing is a full, true and correct copy of the resolution of the Planning Commission of the City of McFarland at a meeting held on Tuesday, March 15 2022, moved by _____ and seconded by _____ duly adopted and passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND.

Attest:

Approved:

Francisca Alvarado
City Clerk

Marco Martinez
Chairman