



**CITY OF CORNING
PLANNING COMMISSION AGENDA**

**TUESDAY, MAY 15, 2012
CITY COUNCIL CHAMBERS
794 THIRD STREET
CORNING, CA 96021**

A. CALL TO ORDER: 6:30 p.m.

B. ROLL CALL:

Commissioners: Reilly
Barron
Poisson
Mesker
Chairman: Robertson

C. MINUTES:

1. Waive the Reading and Approve the Minutes of the April 17, 2012 Planning Commission Meeting with any necessary corrections.

D. BUSINESS FROM THE FLOOR: If there is anyone in the audience wishing to speak on items not already set on the Agenda, please come to the podium, and briefly identify the matter you wish to have placed on the Agenda. The Commission will then determine if such matter will be placed on the Agenda for this meeting, scheduled for a subsequent meeting, or recommend other appropriate action. If the matter is placed on tonight's Agenda, you will have the opportunity later in the meeting to return to the podium to discuss the issue. The law prohibits the Commission from taking formal action on the issue, however unless it is placed on the Agenda for a later meeting so that interested members of the public will have a chance to appear and speak on the subject.

E. PUBLIC HEARINGS AND MEETINGS: Any person may speak on items scheduled for hearing at the time the Chairman declares the Hearing open. ALL LEGAL NOTICES PUBLISHED IN ACCORDANCE WITH LAW.

2. Use Permit 2012-265, permit Lance Jones to construct a duplex consisting of two approximately 1300 sq. ft. residential units in an R-1-2 Zoning District that will replace the existing residence. To be located at 1592 Kaufman Avenue (north side of Kaufman Avenue at the northeast corner of the Kaufman Ave./Hoag St. intersection). APN #: 71-224-06

F. REGULAR AGENDA: All items listed below are in the order which we believe are of most interest to the public at this meeting. However, if anyone in the audience wishes to have the Agenda order changed, please come to the podium and explain the reason you are asking for the change.

G. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

H. ADJOURNMENT:

POSTED: FRIDAY, MAY 11, 2012



**CITY OF CORNING
PLANNING COMMISSION MINUTES**

**TUESDAY, APRIL 17, 2012
CITY COUNCIL CHAMBERS
794 THIRD STREET
CORNING, CA 96021**

A. **CALL TO ORDER:** 6:30 p.m.

B. **ROLL CALL:**

Commissioners: Reilly
Barron
Poisson
Mesker
Chairman: Robertson

All members of the Commission were present.

C. **MINUTES:**

1. **Waive the Reading and Approve the Minutes of the March 20, 2012 Planning Commission Meeting with any necessary corrections.**

Commissioner Barron moved to approve the Minutes of the March 20, 2012 Planning Commission Meeting as written. Commissioner Poisson seconded the motion. **Ayes: Robertson, Reilly, Barron, Poisson and Mesker. Oppose/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

D. **BUSINESS FROM THE FLOOR:** None.

E. **PUBLIC HEARINGS AND MEETINGS:** None.

F. **REGULAR AGENDA:** All items listed below are in the order which we believe are of most interest to the public at this meeting. However, if anyone in the audience wishes to have the Agenda order changed, please come to the podium and explain the reason you are asking for the change.

2. **Request for One-Year Extension on Use Permit 2011-261, Immaculate Conception Church: Consider approving a one-year extension for the construction of a 3,150 sq. ft. building to be used for office space and classrooms for church associated activities. Building is to be located adjacent to the Church Rector Building on a vacant parcel at the northeast corner of the Solano Street/1st Street intersection, 818 Solano Street, APN No. 73-065-03.**

Chairperson Robertson introduced this item by title and location. Planning Director John Stoufer introduced the petitioner's representative and then briefed the Commissioners on the applicant's request for the 1-year Use Permit Extension and the reasons for their request. Mr. Stoufer also briefed the Commissioners on the associated regulations for the Use Permit extension.

With no further questions, Commissioner Reilly moved to approve a one-year extension for Use Permit No. 2011-261 subject to the three Conditions of Approval as originally approved by the Planning Commission on March 15, 2011. Commissioner Barron seconded the motion. **Ayes: Robertson, Reilly, Barron, Poisson and Mesker. Oppose/Absent/Abstain: None. Motion was approved by a 5-0 vote.**

G. **ITEMS PLACED ON THE AGENDA FROM THE FLOOR:** None.

H. **ADJOURNMENT:** 6:32 p.m.

Lisa M. Linnet, City Clerk

The City of Corning is an Equal Opportunity Employer

**ITEM NO: E-2
USE PERMIT APPLICATION 2012-265;
LANCE JONES; TO CONSTRUCT A DUPLEX
IN AN R-1-2 ZONING DISTRICT, LOCATED
AT THE NORTHEAST CORNER OF THE
KAUFMAN AVE./HOAG ST. INTERSECTION
APN: 71-224-06 ADDRESS: 1592 KAUFMAN
AVE.**

MAY 15, 2012

TO: PLANNING COMMISSIONERS OF THE CITY OF CORNING

FROM: JOHN STOUFER; PLANNING DIRECTOR

PROJECT DESCRIPTION:

Local Contractor Lance Jones has applied to construct a duplex consisting of two approximately 1300 sq. ft. residential units in a R-1-2; Single-Family Residential Zoning District. The subject property totals 11,500 sq. ft., or 0.26 acres. In accordance with Corning Municipal Code Section 17.10.050.A the R-1-2 zone can permit one duplex per 6,000 sq. ft. of lot area if a use permit is first approved.

The property is currently improved with an uninhabited single-family residence. Mr. Jones is currently working with the Corning Volunteer Fire Department to remove the residence as a training fire to make way for the duplex. If the residence cannot be burned then Mr. Jones will demolish it by other approved measures. Proposed Condition No. 1 requires the dwelling to be removed and the debris, whether ash or existing construction material, be abated prior to issuance of the building permit for a duplex.

ENVIRONMENTAL:

The California Environmental Quality Act Guidelines provide for the Categorical Exemptions of certain minor projects. Those projects are specifically listed in Guidelines Section 15303 (5). Subsection (b) exempts construction of one duplex.

LAND USE:

The applicant plans to construct a duplex on his 11,500 sq. ft. property. The units will be three (3) bedroom, two (2) bath with about 1300 sq. ft. of living area and attached garage for each unit. Please refer to the site plan presented with the application.

The subject property is designated "Residential" on both the current Land Use Maps. The application for expanded residential use is consistent with Land Use Designation and Element.

ZONING:

See the Zoning Map (Exhibit "E"). The site totals about 11,241 square feet and is within the R-1-2 zoning district. The Corning Municipal Code Section 17.10.050 reads as follows;

"Wherever the numeral "-2" is added to the R-1 district designation on the zoning map to establish an R-1-2 district, the following provisions shall apply:

A. One two-family dwelling (duplex) may be permitted for each six thousand square feet of land area upon the securing of a use permit.

B. All other provisions and regulations as specified for R-1 districts shall apply in R-1-2 districts."

The R-1-2 zoning district permits single family dwellings and, upon approval of a use permit, duplexes at the rate of one per 6,000 sq. ft. of lot area. The lot exceeds the minimum lot area necessary to support a duplex once a use permit is acquired. The application therefore meets the density requirements of Corning Municipal Code Section 17.10.050.A as stated above.

Proposed Condition No. 3 requires fencing the property along the side yards facing Kaufman Ave. and the alley as well as a fence separating the two duplex side yards as depicted on the site plan. Condition No. 4 requires landscaping the frontage along Hoag St. and Kaufman Ave.

CIRCULATION:

The site fronts along Hoag St. and Kaufman Ave. both are city streets. Kaufman Ave. has a paved width of 37 feet and lies within a 50' wide right of way. Hoag St. has a paved width of 50 feet and lies within an 80' right of way. The frontage along Kaufman Ave. has a rolled curb and gutter but no sidewalks and the frontage along Hoag St. has approximately 15 feet of rolled curb and gutter but no sidewalk.

While that width of Kaufman Ave. does not meet the normal City standard of 40' street width within a 60' wide right of way, there is little point in requiring street widening in this "built-out" area. City standards require curb, gutter and sidewalk for all new construction.

Condition # 5 requires the applicant to obtain an encroachment permit and construct curb, gutter and sidewalk to the City of Corning's Public Works Construction Specifications as detailed in Standard S-1 for sidewalks and Standard S-2 for rolled curb along the frontage of Hoag St. This encroachment permit will also require pavement rehabilitation as directed by the Public Works Director. Along the frontage of Kaufman Ave. the condition will require the construction of a sidewalk to the S-1 Standard.

The Site Plan indicates the duplex will provide attached two-car garages which complies with city standards for off-street parking. Each garage will be accessed by driveways. One driveway will access off of Kaufman St. the other driveway will access off the paved alley along the north property line. Condition # 6 requires the applicant to obtain an encroachment permit and construct paved driveways/aprons to the City of Corning's Public Works Construction Specifications as detailed in Standard S-5 for standard driveway approach, or as approved by the Public Works Director.

NOISE:

State Law requires the adoption of a Noise Element that identifies significant stationary and mobile noise generators. The City of Corning adopted its Noise Element in 1994. The document sets neighborhood noise standards for residential uses. The "normally acceptable" range for "medium and high density" residential uses is 65 dB. We consider the proposed duplex to be a "medium" density residential use.

The City's Noise Element (1994), identifies the railroad as a significant noise generator. The expected noise impacts of various transportation features are shown as contour lines on the Noise Contour Map within this element. The width of the 65 dB contour is about 340 feet during the daytime (widest point). The proposed site is over 2000 feet from the railroad tracks therefore there are no significant noise levels that will impact the residences of the duplex.

SAFETY:

Compliance with the Uniform Building and Fire Codes will assure that the building addresses seismic (earthquake) standards and fire standards. The site is not with a flood hazard zone as depicted on the Flood Insurance Rate Map, Panel 1470.

HOUSING ELEMENT:

The project will provide additional housing opportunities for the citizens of Corning.

COMMENTS FROM SURROUNDING OWNERS:

To date, the only comment received regarding this application was due to an error in the public notification sent out by the Planning Department. The error was in the description of the location of the parcel as it was described as being located at the northwest corner of the Kaufman Ave./Hoag St. intersection when it is actually located at the northeast corner of the Kaufman Ave./Hoag St. intersection. This error was corrected in the title block of this staff report.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the following, or similar, Factual Subfindings and Legal Findings for Use Permit 2012-265;

Factual Subfinding #1

Use Permit 2012-265 will permit the construction of a single duplex in a R-1-2, Single Family Residential Duplex Zoning District.

Legal Finding #1

The granting of Use Permit 2012-265 would permit the construction of a duplex and is categorical exempt from CEQA pursuant to Section 15303, Class 3 (b).

Factual Subfinding #2

The parcel where the duplex will be constructed is 11,500 sq. ft. or approximately .26 acres in size.

Legal Finding #2

The site for the proposed use is adequate in size, shape, topography and circumstances.

Factual Subfinding #3

The site is located at the northeast corner of the Kaufman Ave./Hoag St. intersection and has over 100 feet of frontage along both city streets.

Legal Finding #3

The site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.

Factual Subfinding #4

The duplex will replace an existing house that is currently a blight to the neighborhood in an area developed with single family and duplexes within the City of Corning.

Legal Finding #4

The proposed use will not have an adverse effect upon the use, enjoyment or valuation of adjacent or neighboring properties or upon the public welfare.

RECOMMENDED CONDITIONS OF APPROVAL:

Staff recommends the following conditions of approval should the Planning Commission approve Use Permit 2012-265;

1. **DEMOLISH EXISTING DWELLING.** Applicant shall obtain a permit from the Building Department to demolish the existing dwelling and remove the debris from the site prior to issuance of the construction permits for the new duplex.

2. **BUILDING AND FIRE CODE COMPLIANCE.** Prior to the construction of the duplex the applicant must obtain a building permit and comply with the requirements of the Uniform Building and Fire Codes as adopted by the City of Corning.
3. **FENCING.** Prior to final building permit sign-off, install typical residential fencing along side yards facing Kaufman Ave. and the alley as well as a fence separating the two duplex side yards as depicted on the site plan in compliance with Corning Municipal Code Section 16.29.010.
4. **LANDSCAPE REQUIREMENTS.** Prior to Occupancy approval, the applicant shall install landscaping within the yard areas fronting along Kaufman Ave. and Hoag St. Landscaping shall include a combination of groundcover, shrubs and not fewer than two street trees that shall be at least 15 gallon in size at time of planting, and a permanent irrigation system.
5. **CURB, GUTTER, SIDEWALK CONSTRUCTION.** The applicant must obtain an encroachment permit and construct curb, gutter and sidewalk to the City of Corning's Public Works Construction Specifications as detailed in Standard S-1 for sidewalks and Standard S-2 for rolled curb and gutter along the frontage of Hoag St. This encroachment permit will also require pavement rehabilitation as directed by the Public Works Director. Along the frontage of Kaufman Ave. the applicant must construct a sidewalk to the S-1 Standard.
6. **PAVED DRIVEWAYS AND ENCROACHMENT.** The applicant must obtain an encroachment permit and construct paved driveways/aprons to the City of Corning's Public Works Construction Specifications as detailed in Standard S-5 for standard driveway approach, or as approved by the Public Works Director.

ACTION

Move to adopt the Four (4) Factual Subfindings and Legal Findings and approve Use Permit 2012-265 subject to the six (6) conditions as presented in the staff report:

(Please note that the Planning Commission has the ability to add, modify, or delete any factual subfindings, legal findings, and conditions of approval as recommended by staff if deemed appropriate by a majority of the Commission.)

OR;

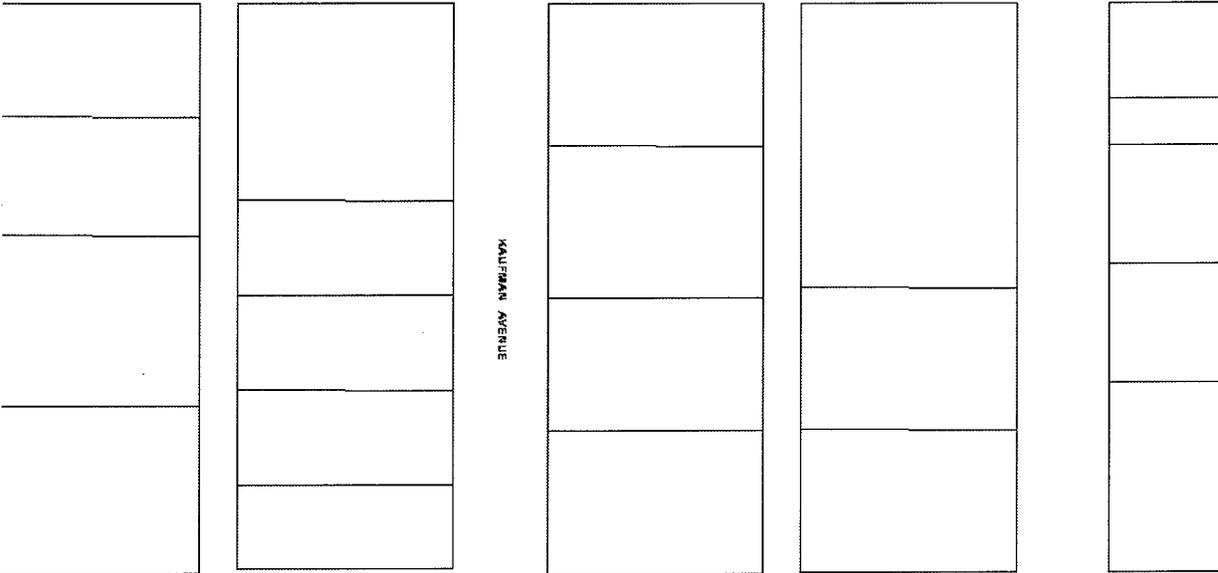
Failing to adopt the mandatory Legal Findings move to deny Use Permit 2012-265.

EXHIBITS

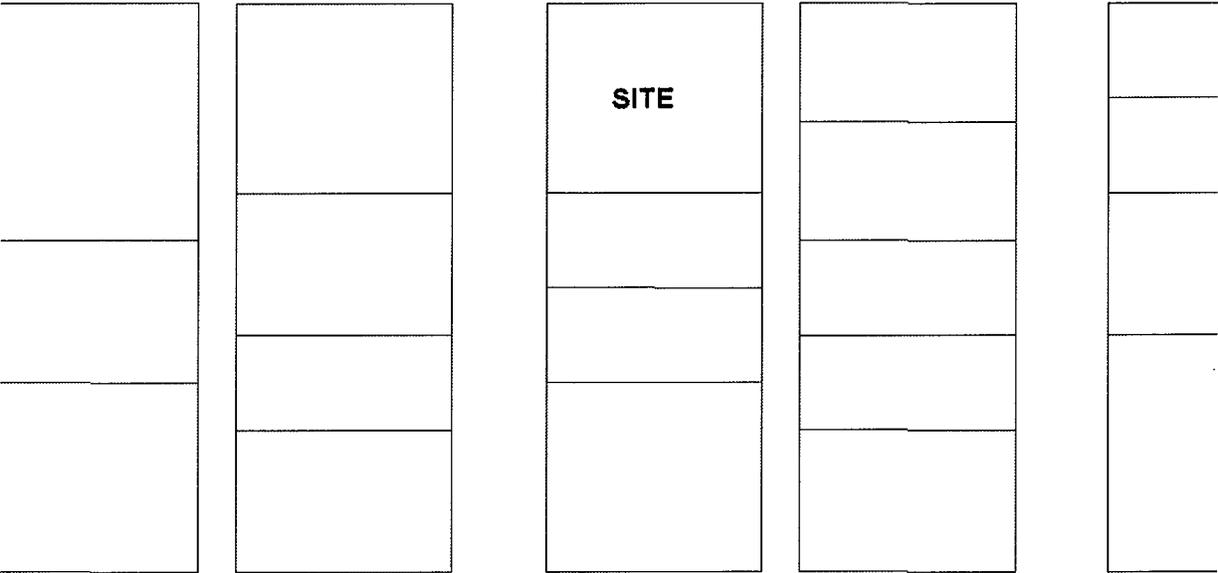
EXHIBIT "A"	VICINITY MAP
EXHIBIT "B"	AERIAL PHOTO
EXHIBIT "C"	GENERAL PLAN MAP
EXHIBIT "D"	ZONING MAP
EXHIBIT "E"	APPLICATION AND SITE PLAN



EXHIBIT "A"



HOAG STREET



WEST STREET

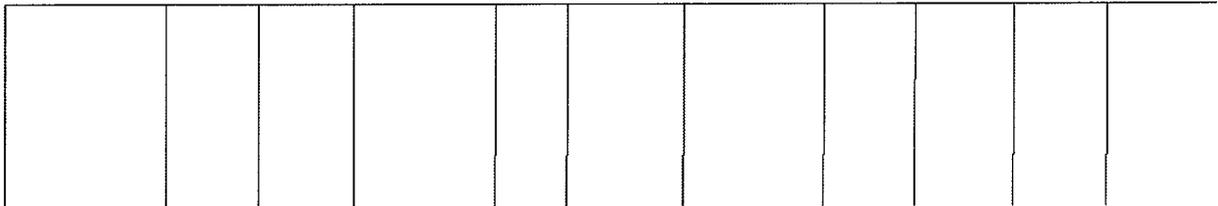


EXHIBIT "B"

ROAD STREET

BRIDGE STREET

SITE

WEST STREET



PROJECT INFORMATION

PROJECT ADDRESS 1592 Kaufman Ave.		ASSESSOR'S PARCEL NUMBER 071-224-06	G.P. LAND USE DESIGNATION R-Residential
ZONING DISTRICT R-1-2	FLOOD HAZARD ZONE	SITE ACREAGE 1/4	AIRPORT SAFETY ZONE? N/A
PROJECT DESCRIPTION: (attach additional sheets if necessary) USE permit for a Duplex			

APR 27 2012

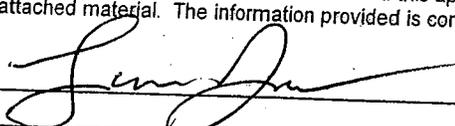
APPLICATION TYPE (Check All Applicable)

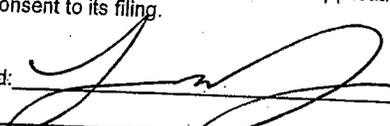
- | | | |
|--|--|--|
| <input type="checkbox"/> Annexation/Detachment | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Lot Line Adjustment |
| <input type="checkbox"/> Merge Lots | <input type="checkbox"/> Planned Dev. Use Permit | <input type="checkbox"/> Parcel Map |
| <input type="checkbox"/> Preliminary Plan Review | <input type="checkbox"/> Rezone | <input type="checkbox"/> Street Abandonment |
| <input type="checkbox"/> Subdivision | <input type="checkbox"/> Time Extension | <input checked="" type="checkbox"/> Use Permit |

APPLICANT INFORMATION

APPLICANT Lance Jones	ADDRESS 1052 Lamesa Dr. Chico Ca	DAY PHONE 530-209-4068
REPRESENTATIVE (IF ANY)	ADDRESS	DAY PHONE
PROPERTY OWNER Same	ADDRESS	DAY PHONE

CORRESPONDENCE TO BE SENT TO APPLICANT REPRESENTATIVE PROP. OWNER

APPLICANT/REPRESENTATIVE: I have reviewed this application and the attached material. The information provided is correct.
Signed: 

PROPERTY OWNER: I have read this application and consent to its filing.
Signed: 

By signing this application, the applicant/property owner agrees to defend, indemnify, and hold the City of Corning harmless from any claim, action, or proceeding brought to attack, set aside, void or annul the City's approval of this application, and any Environmental Review associated with the proposed project.

SUBMITTAL INFO

FOR OFFICE USE ONLY

APPLICATION NO. 2012-265	RECEIVED BY: JS	DATE RECEIVED 4/27/12	DATE APPL. DEEMED COMPLETE
FEES RECEIVED/RECEIPT NO. 4/27/12 - 04 1920	CEQA DETERMINATION Exempt ND MND EIR	DATE FILED	



CITY OF CORNING

ENVIRONMENTAL INFORMATION FORM (To be completed by Applicant)

DATE FILED 4/25/12

General Information

1. Project Title: USE Permit for new Duplex

2. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

use Perm. & for new duplex to replace existing house that will be removed. Addition of 1 new residence

Additional Project Information

3. For non-residential projects, indicate total proposed building floor area: N/A sq. ft. in ___ floor(s).

4. Amount of off-street parking to be provided. N/A parking stalls. (Attach plans)

5. Proposed scheduling/development.

May 2012

6. Associated project(s).

N/A

7. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected. (This information will help the City track compliance with the objectives of the Housing Element of the General Plan.)

3br 2ba 1300 sq ft per unit
\$900 month rent

PLANNING APPLICATION

8. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.

N/A

9. If industrial, indicate type, estimated employment per shift, and loading facilities.

N/A

10. If institutional, indicate the primary function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.

N/A

11. If the project involves a variance, conditional use permit or rezoning application, state this and indicate clearly why the application is required.

N/A

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

- | | YES | NO |
|---|--------------------------|-------------------------------------|
| 12. Change in existing topographic features, or substantial alteration of ground contours? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13. Change in scenic views or vistas from existing residential areas or public lands or roads? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14. Change in pattern, scale or character of general area of project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Significant amounts of solid waste or litter? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16. Change in dust, ash, smoke, fumes or odors in vicinity? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 17. Change in lake, stream or ground water quality or quantity, or alteration of existing drainage patterns? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 18. Substantial change in existing noise or vibration levels in the vicinity? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 19. Is the site on filled land or on slopes of 10 percent or more? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 20. Use, storage, or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 21. Substantial change in demand for municipal services (police, fire, water, sewage, etc.)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 22. Substantially increase energy usage (electricity, oil, natural gas, etc.)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 23. Relationship to a larger project or series of projects? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

PLANNING APPLICATION

Environmental setting

24. Describe the project site as it exists before the project, including information on topography, soil type and stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site, snapshots or Polaroid photos will be accepted.

Existing house on property. Structure is a blight to city of Corning

25. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

Nice area of Corning, near west st. school

Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date

4/25/12

Signature



For:

PLANNING APPLICATION

Required Supplementary Information:

(Note: The following are general requirements for the various types of projects. Additional information due to site or neighborhood characteristics or conditions may also be required)

General Plan Amendment:

1. Assessor's Map
2. Copy of Vesting Deed or Preliminary Title Report for all properties
3. Application fee (See Fee Schedule)

Lot Line Adjustment:

1. Copy of Preliminary Title Report for each affected property
2. Drawing marked Exhibit "A" (prepared by a Licensed Land Surveyor or Civil Engineer) showing existing and proposed parcel boundaries, streets, buildings, utilities
3. Resulting parcel descriptions marked Exhibit "B"
4. Application fee (See Fee Schedule)

Planned Development Use Permit

1. Copy of Preliminary Title Report
2. Drawing showing proposed uses of sufficient detail to identify all facets of the project, including any proposed divergence from typical City standards (setbacks, lot coverage, density, etc.)
3. A narrative describing and justifying all proposed divergence from typical City standards

Parcel Map (Submit City of Corning Tentative Map Package)

Rezone or Prezone

1. Copy of Preliminary Title Report
2. Application fee (See Fee Schedule)

Street Abandonment

1. Letter of Justification
2. Application fee (See Fee Schedule)

Subdivision (Submit City of Corning Tentative Map Package)

Time Extension:

1. Application fee (See Fee Schedule)

Use Permit:

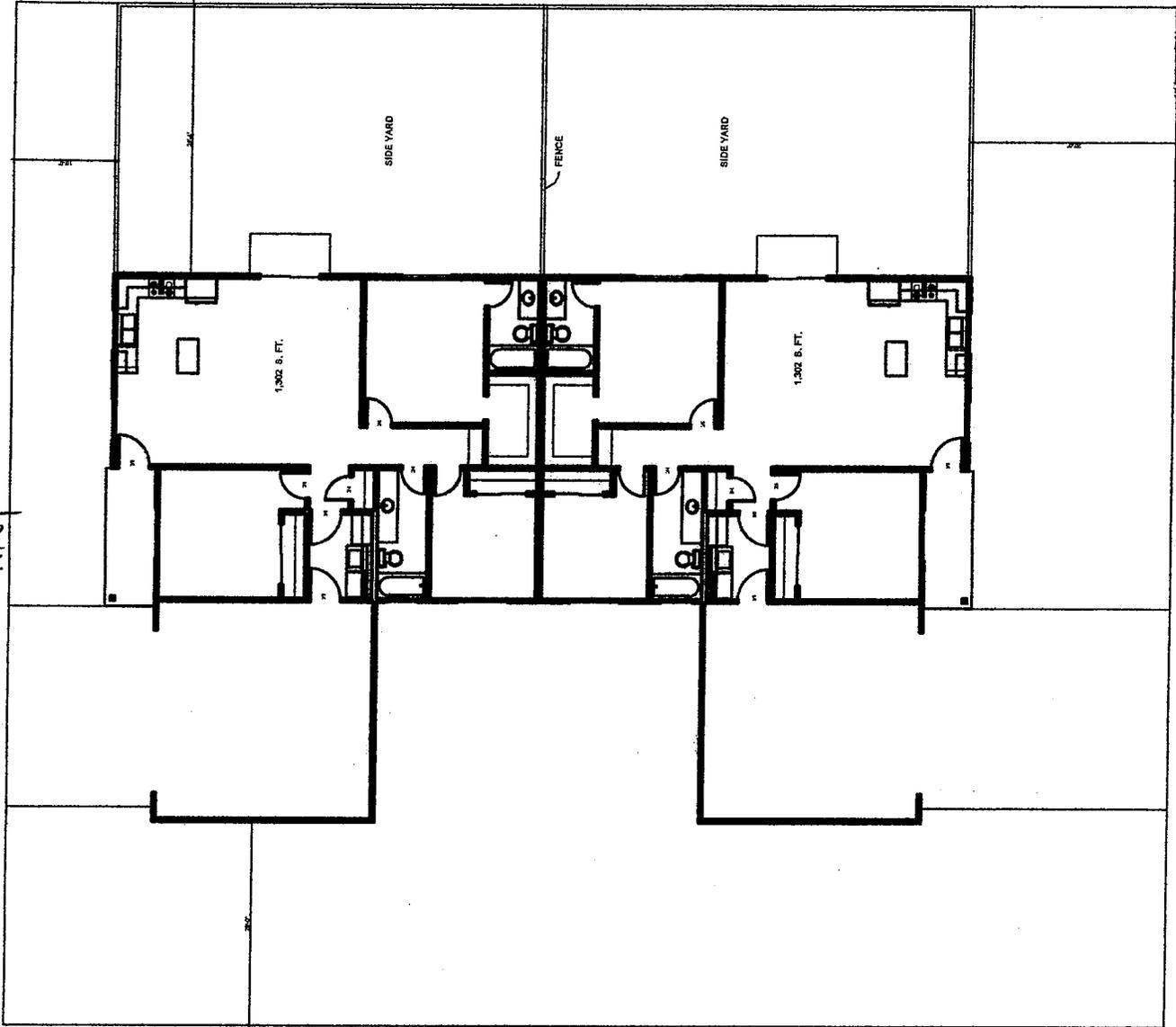
1. Site Plan (drawn to scale) indicating existing and proposed uses, adjacent streets, utilities, driveways, parking areas, landscaped areas, signage, etc.
2. Copy of Preliminary Title Report
3. Application fee (See Fee Schedule)

Variance:

1. Copy of Preliminary Title Report
2. Ten (10) copies of a site plan (drawn to scale)) indicating all existing and proposed uses, adjacent streets, utilities, driveways, parking areas, etc. and the issue for which the variance is sought.
3. One reduced size (8 1/2" X 11") copy of the site plan.
4. Application fee (See Fee Schedule)
5. Narrative supporting and justifying the findings listed in Zoning Code Section 17.58.020.
6. Application fee (See Fee Schedule)

N

Alk



Kaufman

Housy