

**KINGSBURG PLANNING COMMISSION
REGULAR MEETING
MAY 13, 2021**

Call to order – At 6:02PM the Kingsburg Planning Commission meeting was called to order.

Commissioners Present – Valdez, Ekizian, Ruch, Gonzalez, Blayney and Kruper

Commissioners Absent - Brock

APPROVAL - Commissioner Ruch made a motion, seconded by Commissioner Ekizian to approve the minutes of the April 8, 2021, Planning Commission meeting as presented. The motion carried by the following roll call vote.

| | |
|---------|---|
| Ayes | Valdez, Gonzalez, Ruch, Ekizian, Kruper |
| Noes | None |
| Absent | Brock |
| Abstain | Blayney. |

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

PUBLIC HEARING - CONDITIONAL USE PERMIT FOR A TRUCK TERMINAL THAT WILL BE LOCATED NORTH OF EAST KAMM AVENUE AND WEST OF STATE ROUTE 99 IN KINGSBURG. DEVELOPMENT OF THE TRUCK TERMINAL WILL ALSO REQUIRE GENERAL PLAN AND ZONING ORDINANCE AMENDMENTS AND AN ANNEXATION OF THE SUBJECT PARCEL AS WELL AS PARCELS BETWEEN THE SUBJECT TERRITORY AND STATE ROUTE 99

Open Public Hearing at 6:07PM

Planning Director Greg Collins stated that the environmental document was quite lengthy. Described location of property, the surrounding uses and the proposed use for this property. Will need a general plan and zone ordinance amendment along with an annexation.

Commission Discussion

- 2 other properties are proposed to be annexed also, what happens if they don't agree. Mr. Collins stated that the City has indicated there will be incentives to entice properties to join the annexation.
- Water service to the property would require about 1 ½ miles of pipeline. Staff felt this exceeded necessary costs for the development but if the well failed at some point in the future, water service could be available.
- The Fire Department will have the final say on what is required for fire protection.
- How will the City safeguard against hazardous waste collecting on the property from this project? City is aware of the potential problems and will design systems to safeguard this.
- How will the city ensure that the county roads are repaired before annexation?
- Designation of property to CH same land use to the other properties. CH zoning generates property and sales tax which is beneficial to cities.

- Traffic is one of the main issues and the City should ensure that local roadways are built properly for truck traffic. These conditions would be in the final Conditions of Approval.

Open for Public Comment at 7:11PM

Close Public Comment at 7:12PM

Continued Commission Discussion

- This property falls under the Highway Beautification Ordinance which is contained in our Municipal Code.
- The City should require facilities to connect to water and sewer as lines become available.

Commissioner Blayney made a motion, seconded by Commissioner Valdez to continue the public hearing to the next meeting on June 10, 2021, for further discussion and to give the Commission time to review the supporting documents. The motion carried by the following vote:

| | |
|---------|--|
| Ayes | Blayney, Valdez, Gonzalez, Ruch, Ekizian, Kruper |
| Noes | None |
| Absent | Brock |
| Abstain | None |

FUTURE ITEMS – Would like to discuss current methods of distributing Planning Commission meeting material and set time frames.

ADJOURN At 7:29PM Commissioner Valdez made a motion, seconded by Commissioner Ruch to adjourn the Kingsburg Planning Commission meeting. The motion carried by the following vote:

| | |
|---------|--|
| Ayes | Blayney, Valdez, Gonzalez, Ruch, Ekizian, Kruper |
| Noes | None |
| Absent | Brock |
| Abstain | None |

Submitted by

Mary Colby
Planning Secretary



Meeting Date: 6/10/2021
Agenda Item:4

PLANNING COMMISSION MEETING STAFF REPORT

REPORT TO: Planning Commission

REPORT FROM: Greg Collins, Contract Planner

REVIEWED BY:

AGENDA ITEM: Khalsa Trucking Terminal, Annexation 2020-01, General Plan Amendment 2020-01, Zoning Ordinance Amendment 2020-01, Conditional Use Permit 2020-01 and Mitigated Negative Declaration for the Khalsa Truck Terminal

ACTION REQUESTED: Ordinance Resolution Motion Receive/File

RECOMMENDATION

1. That the Planning Commission consider Resolution 2021 – recommending to the Kingsburg City Council that Annexation 2020-01 (Kamm-Bethel Northwest Reorganization) be initiated and forwarded to the Fresno Local Agency Formation Commission.
2. That the Planning Commission consider Resolution 2021 - recommending approval of General Plan Amendment 2020-01, “undesignated” to “highway commercial”, and approval of Zoning Ordinance Amendment 2020-01, Fresno County’s C-6 district to Kingsburg’s CH (highway commercial) district.
3. That the Planning Commission consider Resolution 2021 - approving Conditional Use Permit 2020-01 subject to conditions.
4. That the Planning Commission consider Resolution 2021 - approving a Mitigated Negative Declaration for the Khalsa Truck Terminal.

(Note: Review and approval of the site plan for the Khalsa Truck Terminal is processed administratively by the city’s Site Plan Review Committee)

RECAP OF MAY PLANNING COMMISSION MEETING

The Planning Commission held a public hearing on the planning requests listed above. Planning staff presented a PowerPoint presentation to the Commission outlining the various planning requests as well as the impacts the project might have on the community and surrounding neighborhood. Impacts discussed with the Commission included traffic, domestic water and sewer connections, aesthetics, wastewater disposal, and road improvements. The Commission received public testimony on the proposed planning requests and asked questions of staff regarding the annexation process and about various features of the truck terminal operation.

Once the public hearing was closed, the Commission discussed the annexation process and expressed concerns that the two property owners to the east had not agreed to the annexation. The Commission instructed staff to contact these two property owners to assess their interest in annexing into the city. Notices had been sent to these property owners, but staff followed up with a specific letter addressed to Kingsburg Truck Sales (owner, Jerry Smith). This letter outlined the benefits of annexing into the city of Kingsburg.

The letter encouraged Mr. Smith to contact the city administrator to discuss any concerns that he might have about being annexed into the city. As of this writing, Mr. Smith has not contacted Alex Henderson or me.

Staff recommends that the Commission approve the various planning requests with the understanding that should the annexation fail, the applicant would be required to process their request through the County of Fresno.

EXECUTIVE SUMMARY

The applicant, Khalsa Trucking Terminal, is requesting a number of planning applications. They are:

1. Annexation from the County of Fresno into the City of Kingsburg territory containing 14.59 acres and known as Kamm-Bethel Northwest Reorganization.
2. A general plan amendment from Kingsburg's "non-designated" designation to the "highway commercial" designation.
3. A zoning ordinance amendment from Fresno County's general commercial (C-6) district to Kingsburg's highway commercial (CH) district.
4. A conditional use permit for a 14.56-acre truck terminal that will contain the following features:
 - a. An 8,800 square-foot office building containing offices, dispatch center, meeting room, restrooms, storage and lunchrooms.
 - b. A 15,000 square-foot truck repair and maintenance building, containing two wash bays, one lube bay, two truck repair bays and an office/storage room.
 - c. Two fueling stations
 - d. Office parking containing 20 stalls
 - e. Truck parking containing 55 stalls
 - f. On-site well for domestic use and washing
 - g. On-site septic tank leach line system
 - h. On-site storm water basin

The applicant has provided the following operational statement:

Existing operation

This business is already operating on Fowler Ave, 13371 S. Fowler Ave, Selma, CA 93662, between Mt. View and Conejo Avenues. The applicant has stated that 15 to 20 trucks will initially use the yard, however, the truck numbers could increase up to 42 trucks over time. The trucking operation is currently operating from the applicant's farm located at the above location.

Going to the yard

Trucks southbound on Hwy 99 will take the Hwy 43 off ramp and take Mt. View to Fowler Ave. and then to the yard (5.4 miles)

Trucks northbound on Hwy 99 will take Conejo Ave. west to Fowler Ave. and then to the yard (8.3 miles)

Leaving the yard

North bound will take Fowler Ave. to Mt. View to Hwy 43 and then to Hwy 99 (5.4 miles)

Southbound will take Fowler Ave. to Conejo Ave. and then to Hwy 99 (8.3 miles)

New location

Northbound will take Bethel Ave. off ramp to go to the yard

Southbound will take Kamm Ave. off ramp to go to the yard

BACKGROUND INFORMATION

The project was originally scheduled for the April meeting, but staff discovered that the 20-day waiting period required by CEQA had not lapsed. That review period is now completed, and the city has received three additional comment letters on the project. They include letters from Caltrans, County of Fresno, and Peters Engineering. They are attached to this report. Two general issues expressed in the letters were the traffic study completed by the applicant's environmental consultant, and the county's interest is expanding the proposed annexation to include surrounding county roads – Kamm and Parkway Drive. The city engineer will attend the Planning Commission to discuss these two letters.

The subject property is located on the west side of State Highway 99 and the north side of Kamm Avenue, approximately 825 feet from the south bound Highway 99 off-ramp. Two parcels of land are situated between the subject site and the Highway 99 off-ramp – a truck sales yard and mobile home storage yard.

The applicant has indicated that a truck terminal is proposed for the subject property. Hours of operation will be primarily from 8 am to 5 pm, however, trucks could be arriving and departing during all hours of the day. The applicant is proposing a full-service truck terminal – parking, fueling, repair and maintenance, and restrooms. The truck operation will employ between 10 to 20 persons. These individuals will be employed in the office and in the truck repair and maintenance building.

Staff assumes that the truck fleet will be dispatched to locations in California and some adjoining states.

Primary access to the subject site will be from a county-maintained road (Kamm Avenue), which has a paved width of approximately 25 feet and a right-of-way of 50 feet. Secondary access will be from the southbound Highway 99 off-ramp. Tertiary access will be from the west along Kamm Avenue.

The subject property is zoned C-6. The property was previously farmed for stone-fruit. Between the subject site and State Highway 99 three uses exist – a truck sales yard, a mobile home storage yard and a vehicle repair yard, located on the south side of Kamm Avenue.

The Site Plan Committee reviewed this matter at their September 16, 2020, meeting. The Committee concluded that the proposed project complied with the development standards of Kingsburg's proposed highway district (CH) and is recommending approval of the site design subject to conditions of approval. These conditions generally involve grading and drainage, adjacent roadway improvements, landscaping and irrigation, proper disposal of domestic and industrial waste and site maintenance.

The applicant, subsequent to the September 16th site plan review committee meeting, has modified the site plan to reduce the number of off-street parking stalls and the square footage of the office building. The conditions of approval will remain the same but the project's impact on the environment may be reduced because of the scaled back design of the project.

DISCUSSION

Annexation

The applicant is proposing to annex the subject property from the County of Fresno into the City of Kingsburg. The site contains 14.59 acres and the annexation will be known as the Kamm-Bethel Northwest Reorganization. Because the property is located within Kingsburg's Sphere of Influence (SOI) and there is a proposal to convert an agricultural use to an urban use, truck terminal, the City has sought approval (finding) from Fresno County that the proposed annexation is consistent with the Kingsburg/Fresno County MOU.

Annexation of the subject property generally ensures that the truck terminal will be constructed to a higher building design standard as well as being serviced by city infrastructure and services.

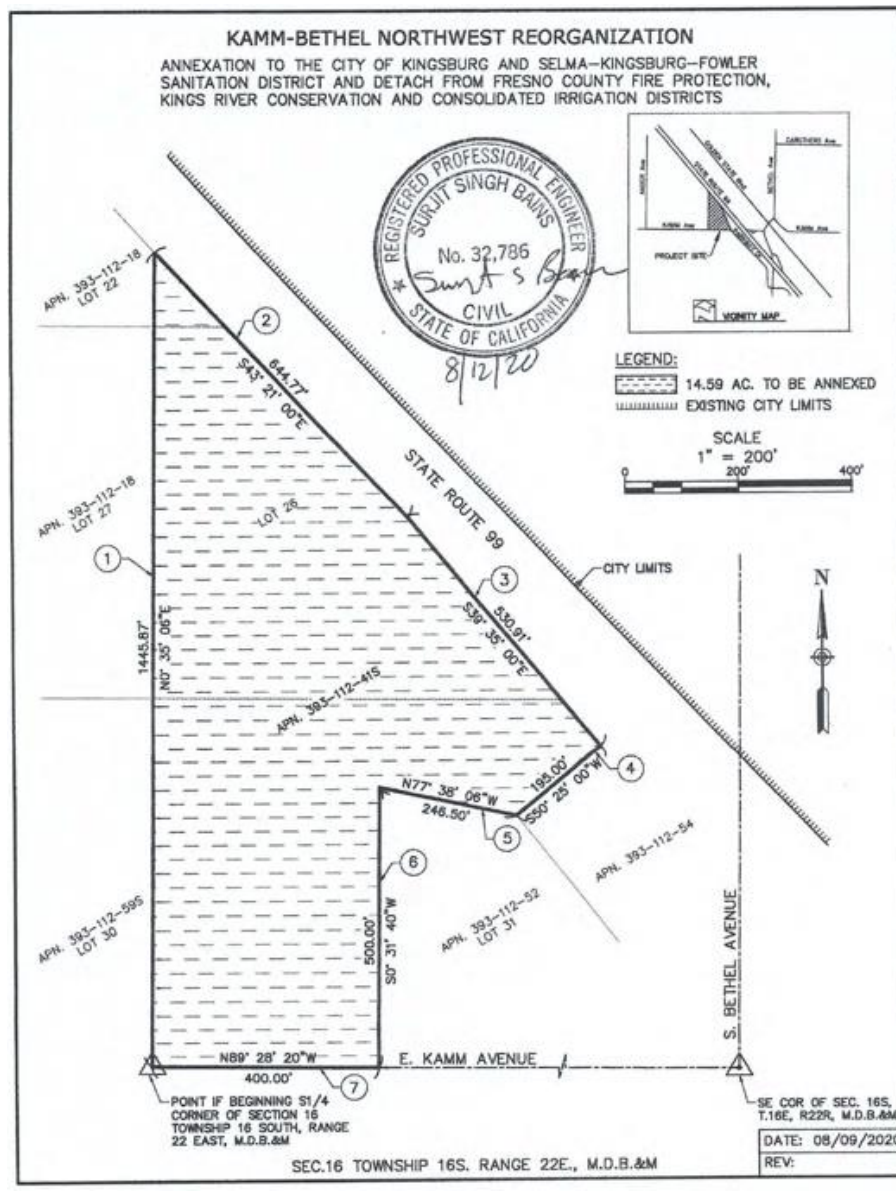
There are two properties (APN 393-112-52, 4.49 acres, and APN 393-112-54, 2.62 acres) that separate the subject territory from the Kingsburg city limits. In order to prevent the creation of a county island, the two parcels of land that lie in between the subject territory and the city limit line will be required to be annexed. The city will inform these property owners of the city's intent to annex. Further, the County of Fresno is requesting that the proposed annexation be modified to include surrounding county roads – Kamm and Parkway Drive. The city engineer will determine if this annexation of county roads is beneficial for the city of Kingsburg.

The City has received comment letters from Caltrans and the county of Fresno in response to the city's preparation of a Mitigated Negative Declaration. The County has requested that the city add to the proposed annexation other surrounding county roadways as follows:

- 1.City of Kingsburg should be required to annex the full width of the road right of way for E Kamm Avenue fronting the subject parcels.
- 2.City of Kingsburg should be required to annex the full width of the road right of way for Parkway Drive from E Kamm Ave to S Bethel Ave.
- 3.City of Kingsburg should be required to annex the full width of the road right of way for S. Bethel Avenue from city limits to its intersection with Parkway Drive.

Staff recommends that the City comply with the recommendations of Fresno County, subject to city engineer approval, and increase the territory that should be recommended for annexation.

Caltrans has suggested that the traffic study be revised to better ascertain the impact of the project on State on- and off-ramps. Staff recommends that the applicant confer directly with Caltrans and that the city of Kingsburg refrain from negotiations with Caltrans.



General Plan Amendment

The subject site is located within Kingsburg’s SOI (Sphere of Influence) and therefore, consistent with Kingsburg/Fresno County MOU and Fresno County LAFCO land use policies, the city has the option of requiring a proposed development to annex into the city if it is inside that city’s SOI.

Because the City’s general plan does not provide for a land use designation for the subject site as well as for the other two parcels just to the east of the subject site, the city has the option to assign a land use designation to all three parcels. This designation should be appropriate for the location of the properties as well as the use of the properties.

Because the proposed truck terminal is near State Highway 99 and will be highway oriented, and it includes the parking of trucks and their repair and maintenance, the city’s Highway Commercial designation would be the most appropriate designation for the subject territory as well as for the two properties to the east one of which involves truck sales.

Automobile washing;
 Bars, cocktail lounges or night clubs;
 Boat sales and service;
 Bowling alleys;
 Bus depots and transit stations;
 Call centers;
 Colleges and trade schools;
 Hotels and motels;
 Medical offices;
 Motorcycle sales, service and repair;
 Public utility structures, service and facilities, including gas and electrical distribution and transmission substations, gas regulator stations, public service pumping stations;
 Private clubs and lodges;
 Recreation vehicle sales and service;
 Repair garages;
 Restaurants, including drive-in restaurants;
 Retail stores;
 Service stations (gasoline, butane and diesel fuels only);
 Soda fountains;
 Used car sales;
 Utility trailer sales, service and rental;
 Incidental and accessory structures and uses located on the same site as a permitted use;
 Other uses which are added to this list according to the procedure in [Chapter 17.60](#).

CH – Conditional Uses – Commission Approval.

1. Drive-in theaters, golf driving ranges, pony riding rings, racetracks, riding stables, skating rinks, sports arenas and sports stadiums, and other similar open, unenclosed commercial recreation facilities.
2. Overnight parking for recreational vehicles; mini-storage facilities.
3. Service stations involving the dispensing of petroleum gas fuels for use by the traveling public.
4. Expansion or remodeling of an existing non-conforming use of a structure or land, up to fifty (50) percent or less of the value of the structure, or reestablishment of a non-conforming use which has been damaged, except non-conforming signs and outdoor advertising structures, non-conforming uses occupying a structure with an assessed valuation of less than two hundred (200) dollars, and non-conforming fences, walls and hedges.
5. Expansion, remodeling, or additions to a conditional use that are not considered an incidental or accessory use as defined in Chapter 17.96.
6. Uses involving the manufacture, sale, repair and maintenance of light duty utility vehicles and agricultural equipment.
7. Other uses which are added to this list according to the procedure in Chapter 17.60.

(Ord. 93-01 (part), 1993; Ord. 92-11 § 1 (part), 1992; Ord. 408 (part), 1982)

(Ord. No. 19-01, 4-11-2019)

Conditional Use Permit

Staff is recommending that the Khalsa Truck Terminal be processed as a conditional use permit consistent with Kingsburg's Zoning Ordinance. A use permit is a discretionary decision intended to mitigate any impacts on the general public and nearby land uses. Through the City's site plan review process and the

preparation of an Initial Study on the project a list of conditions of approval were identified that will be attached to the use permit.

As part of the environmental review process, the city did receive two comment letters (Caltrans and Fresno County) on the Mitigated Negative Declaration. As previously discussed, Fresno County is requesting that the city expand its proposed annexation to include surrounding county roadways. Staff has recommended that the annexation be expanded to include surrounding roadways, subject to city engineer approval.

Both the county and Caltrans have recommended that the traffic study be revised to include some additional intersection analysis and an analysis of vehicle miles traveled (VMT). These comments have been forwarded to the environmental consultant that prepared the traffic study for a response.

A discussion of the issues associated with the proposed truck terminal are as follows:

Traffic Circulation

Numerous vehicular trips (trucks and autos) will be generated by the proposed project. Presently, the site fronts onto Kamm Avenue (a county roadway), which has an estimated paved width of 25 feet and a right-of-way width of 50 feet. For traffic to effectively enter and exit the subject site the paved roadway width should be widened as well as the right-of-way width. The City Engineer has recommended an ultimate paved width of 40 feet and a right-of-way width of 60 feet. The applicant would only be responsible for their half of the road and the frontage of their property; the county or a developer on the other side of the street would be responsible for widening the other half of the roadway.

Caltrans has recommended that the proposed project should be responsible for nearby intersection improvements and/or payment of a mitigation fee that would be used to reconstruct nearby State highway on- or off-ramps. The applicant's engineer will discuss this matter directly with Caltrans since this recommendation did not come from the city of Kingsburg.

Dust

Vehicles exiting and entering the subject site could generate dust thereby creating a nuisance problem for surrounding properties. Staff is recommending that the portion of the site where vehicles will be maneuvering to park, or receive repair, maintenance, fuel, or cleaning, should be paved consistent with the city's parking lot improvement standards. The balance of the lot where vehicles will not operate on can be covered with decomposed granite.

Air Pollution

The number of truck trips (and automobile trips) generated by the proposed project may exacerbate air quality of the southern San Joaquin Valley. The impacts this project would have on the Valley's air quality was documented in the Initial Study. The initial study indicated that the project would not have an adverse impact on the Valley's air quality.

Storm Water Runoff

The project site will be graded so that storm water runoff will enter a proposed basin located in the north section of the property. The dimensions of the basin will be determined by the city engineer. The basin will be sized to handle the runoff generated by the proposed project.

Loss of Agricultural Land

The project will remove approximately 14 acres of land from agricultural production. Fresno County is one of the leading agricultural counties in the US. Any removal of agricultural land from production will have an adverse impact on the county's ability to produce agricultural commodities. This impact was discussed in the Initial Study and it was determined that the project would not have a significant impact on the regions' agricultural environment.

Wastewater Disposal

The applicant is proposing to dispose of wastewater by means of a septic tank/leach line system, however, SKF has a major truck line west of the subject site. The applicant may elect to run a sewer line from the subject site to SKF's sewer trunk line.

If the connection to SKF's truck line is economically infeasible then the septic tank/leach line system will be the only method of disposal of wastewater. Domestic waste is easily disposed of using this type of system, however, heavy oils, greases, and other liquids that would be generated by the truck washing operation could prove more difficult to dispose of. The impacts associated with this disposal challenge are detailed in the Initial Study prepared on the project. As a condition of approval, the city is recommending that the applicant secure a permit from the City of Kingsburg prior to installing the septic tank leach line system.

Domestic Water

The proposed use will require water for domestic use and truck washing. The nearest city water line is located about a half mile south on Bethel Avenue. If it does not prove feasible to connect to the city's water system the applicant would then be required to install a well.

Aesthetics

The frontage of the truck terminal will be very visible from Kamm Avenue. A well-designed building and associated parking lot can present an attractive image from this roadway. The applicant is proposing landscaping and irrigation along the frontage of the property. This will also improve the appearance of the truck terminal.

Conditions of Approval

The conditions of approval for the Khalsa Trucking Terminal are as follows:

1. The site plan shall be amended to ensure the following:

