

**CITY OF LINDSAY  
STAFF REPORT  
SITE PLAN REVIEW No. 12-01  
(598 Hwy 65)  
January 10, 2012**

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**GENERAL INFORMATION**

1. Applicant: Ismael Manzo Diaz  
23134 Ave 192  
Strathmore, CA 93267
  
2. Property Owner: Carlos Gutierrez  
P.O. Box 545  
Lindsay, CA 93247
  
3. Location: 598 Hwy 65 – SE Corner of Hwy 65 and Fresno  
Street (APN: 199-260-003).

**PROJECT DESCRIPTION**

Site Plan Review No. 12-01 is a request by Ismael Diaz to establish a tire shop in an existing facility at 598 Hwy 65 (the southeast corner of Hwy 65 and Fresno Street). Project details are as follows:

- The parcel is approximately 33,500 square feet in area; however, the proposed project site would be limited to the eastern 1/3 of the parcel, occupying less than 9,000 square feet. The remainder of the parcel would remain vacant, pending another business desiring to locate there.
- The existing block building at the southeast corner of the site would house the tire shop. It would be repainted and have appropriate signage.
- All work would be performed within the building.
- Used/waste tires would be screened from public view. Waste tires would be periodically removed from the site and transported to an appropriate tire recycling facility.
- An ornamental, tubular steel fence would separate the tire shop site from the remainder of the parcel.
- All weeds would be removed, and the entire parcel would be kept neat and clean.
- A 5 foot-wide landscaping strip would be provided along the eastern portion of the site and a portion of the Fresno Street frontage. Trees, ground covers, and climbing vines would be provided where appropriate. Irrigation on automatic timers would also be provided.
- Site paving would replace the existing decomposed granite within six months of business operation in order to create a permanent, dust-free drive and parking surface.

- Any development beyond that described herein would require a new site plan review.

## **SITE BACKGROUND**

The project site most recently served as a used car dealership; however, it has changed hands several times in recent years and has experienced varied uses with incremental site improvements. The site is generally flat and has no notable natural features. The site is surrounded by a mix of service commercial, warehousing, and residential uses.

## **COMPATIBILITY WITH EXISTING ZONING, PLANS AND POLICIES**

**Zoning and Land Use:** The Lindsay General Plan designates the project site for highway commercial development, and the site is zoned CH (highway commercial use), consistent with the General Plan land use designation. The CH zoning district is intended primarily for application to areas along major highway entrances to the city in accordance with policies of the General Plan where controlled access to the highway is afforded for the convenience of patrons traveling the highway by the provision of frontage roads, interchanges, and channelized intersections.

- Required Conditions:
  - No use shall be permitted and no process, equipment or materials shall be used which are found by the city council to be objectionable to persons living or working in the vicinity by reasons of odor, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination, glare or unsightliness or to involve any hazard of fire, explosion or toxic chemicals.
  - All commercial site boundaries adjacent to any residential zoning district shall be visually screened with ornamental masonry walls and landscaping. Wall height shall be a minimum of seven feet, except as may be designated otherwise under Site Plan Review.
  - Street trees and frontage landscaping, with automatic irrigation, shall be provided for all commercial sites. Parking area landscaping may also be required under site plan review.
- Property Development Standards:
  - Open storage of materials and equipment attendant to a permitted or conditional use shall be permitted only within an area surrounded or screened by a solid wall or fence seven feet minimum in height, except as may be modified under site plan review. Said storage shall not be visible above said fence or wall (no open storage is proposed).
  - Signs and outdoor advertising structures. To be provided as prescribed in Chapter 18.13 under a separate sign permit.

Zoning Ordinance Section 18.18.050 lists several findings that are needed for approving Site Plan Review applications. In sum, this includes findings that the project complies with all applicable codes and would not adversely impact public health, safety, or welfare. Staff believes that the project meets most of these findings, subject to the recommended conditions of approval.

**Circulation:** The proposed site would take access from one twenty-five foot wide drive approach on Fresno Street, at the north end of the site.

**Public Services:** The site is within a convenient response time of public safety services. Existing water supply and conveyance facilities would provide adequate fire suppression capabilities. The project site is currently served by all City utilities. An eight inch water line and an eight inch sewer line run through Fresno Street. There is a storm drain inlet nearby on Fresno Street.

## **PROJECT EVALUATION**

Staff finds that the proposed site plan is consistent with the requirements of the Zoning Ordinance. Staff recommends that the project be developed in substantial compliance with the submitted site plan and the specific conditions of approval and development requirements discussed in the following sections.

- Tire shop work would be limited to within the existing block building at the southeast corner of the site. Changing tires or performing other automotive maintenance tasks outdoors would not be permitted.
- Used/waste tires would be screened from public view. Waste tires would be periodically removed from the site and transported to an appropriate tire recycling facility.
- A city standard trash enclosure with screened gates would be provided.
- An ornamental, tubular steel fence would be erected to separate the tire shop site from the remainder of the parcel.
- All weeds would be removed and the entire parcel would be kept neat and clean.
- A 5 foot-wide landscaping strip would be provided along the eastern portion of the site and a portion of the Fresno Street frontage. Trees and appropriate ground covers would be provided. Climbing vines would be planted along that portion of the existing block wall in public view. Irrigation on automatic timers would be provided. A landscape and irrigation plan would be provided to the city planner for review.
- Site paving would replace the existing decomposed granite within six months of business operation in order to create a permanent, dust-free drive and parking surface.
- All signage would be reviewed under separate permit.
- Any development beyond that described herein would require a new site plan review.

## **ENVIRONMENTAL REVIEW**

This project is categorically exempt from CEQA per Article 19, Section 15301 "Existing Facilities".

## **RECOMMENDATION**

Staff recommends that the City Council approve Site Plan Review No. 12-01 based on the

findings and subject to the conditions found in the attached draft resolution.

#### **ATTACHMENTS**

- Draft Resolution
- Site Plan
- Rendering
- Zoning Map

**RESOLUTION NO. 12-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY APPROVING SITE PLAN REVIEW NO. 12-01, A REQUEST BY ISMAEL DIAZ TO ESTABLISH A TIRE SHOP AT 598 HIGHWAY 65 (APN: 199-260-003).**

At a regularly scheduled meeting of the City Council of the City of Lindsay, held January 10, 2012, at the hour of 6:00 p.m. in the Council Chambers of City Hall, Lindsay California 93247, the following resolution was adopted:

**THAT WHEREAS**, Site Plan Review application No. 12-01 was filed pursuant to the regulations contained in Ordinance No. 437, the Zoning Ordinance of the City of Lindsay; and

**WHEREAS**, planning staff has prepared necessary investigations and prepared a staff report of information bearing upon the site plan review application; and

**WHEREAS**, the project is categorically exempt from CEQA, per Article 19, Section 15301 (Existing Facilities).

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Lindsay specifically finds that the Site Plan Review application is consistent with the required findings of Zoning Ordinance Section 18.18.050, based on the evidence presented, and subject to the recommended conditions of approval.

**BE IT FURTHER RESOLVED**, that the City Council of the City of Lindsay hereby approves the Site Plan Review application on the real property described in accordance with the terms of this resolution under the provisions of Zoning Ordinance Section 18.18.030, subject to the following conditions:

**SECTION 1.** That the final plan of development shall be in substantial compliance with the approved site plan and all applicable Lindsay Development Standards.

**SECTION 2.** That all tire shop work shall be limited to the area within the existing block building at the southeast corner of the site. Changing tires or performing any other automotive maintenance tasks outdoors is expressly prohibited.

**SECTION 3.** That used/waste tires shall be screened from public view. Waste tires shall be periodically removed from the site and transported to an appropriate tire recycling facility.

**SECTION 4.** That a City standard trash enclosure shall be constructed and located to the acceptance of the Director of City Services. Said trash enclosure shall be screened from public view.

**SECTION 5.** That an ornamental, tubular steel fence shall be erected to separate the tire shop site from the remainder of the parcel.

**SECTION 6.** That a five (5) foot-wide landscape strip shall be provided along the eastern portion of the site and along the Fresno Street frontage.

**SECTION 7.** That the landscape and irrigation plans shall conform to the Model California Landscape Ordinance and the following minimum standards:

- Trees shall be a minimum of fifteen gallons in size and shall be double staked or secured by an approved alternative.
- Parkway-appropriate trees shall be planted in the designated areas between the sidewalk and drive/parking lot, spaced at approximately twenty feet between each tree.
- Parking lot-appropriate trees shall be planted within planters in and adjacent to the parking lot.
- Climbing vines shall be planted adjacent to that portion of the existing block wall in public view.
- Low-growing landscaping shall be planted in the planters adjacent to the drive approach.
- Evergreen shrubs shall be a minimum of five gallons in size.
- Ground covers and shrubs in all planter areas shall achieve a living plant coverage of at least 80% at plant maturity.
- Walk-on bark or forest humus shall be provided in all planters areas not planted with groundcovers, at a minimum coverage depth of at least two inches.
- Automatic irrigation controllers on programmable timers shall be provided for all irrigation systems.
- Water conserving design (e.g. mini-sprayers, drip, bubblers, on shrub areas) shall be provided to the extent feasible.

**SECTION 8.** That the applicant shall be responsible to maintain all required landscaping, drive, and parking areas. This specifically includes replacement of damaged, removed, or dead plants, proper irrigation, fertilizing, pruning, mowing, and weeding as necessary to insure high quality landscaping appearances at all times.

**SECTION 9.** That the entire site area leased by the applicant, excluding landscaping areas, shall be paved with asphalt or concrete within six (6) months of opening for business.

**SECTION 10.** That all signs shall require a separate review and approval by planning. A sign permit shall be required for all new commercial signs, prior to sign installation. All permanent and temporary signs, banners, and/or other special promotional signage shall comply with all applicable Zoning Ordinance sign standards.

**SECTION 11.** That any development beyond that described herein shall require a separate site plan review.

**SECTION 12.** That all other City codes and ordinances shall apply, including section 18.18.090 of the Municipal Code, which states: "A site plan approval shall lapse and shall become void one year following the date on which approval by the community development department or city council became effective unless, prior to the expiration of one year, a building permit is issued by the

building official and construction is commenced and diligently pursued toward completion of the site or structures which were the subject of the site plan. Approval may be extended for an additional period or periods of one year upon written application to the city council before expiration of the first approval. (Ord. 437 § 1 (part), 1989)".

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Lindsay  
this 10th day of January, 2012.

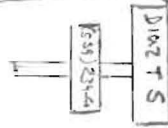
ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

\_\_\_\_\_  
Carmela Wilson, Deputy City Clerk

\_\_\_\_\_  
Ed Murray, Mayor

Away 65

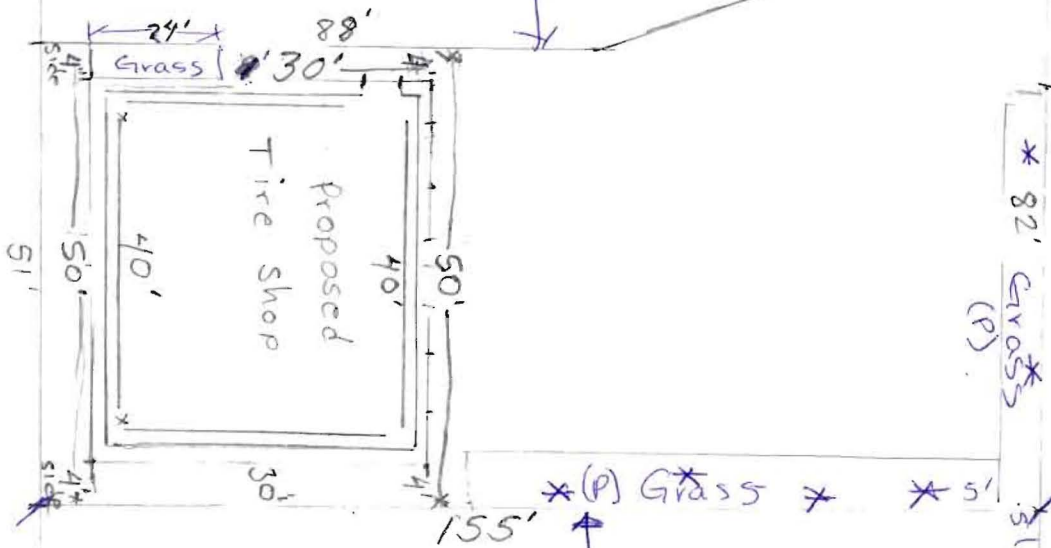


S ← → N

Tresno St  
gate

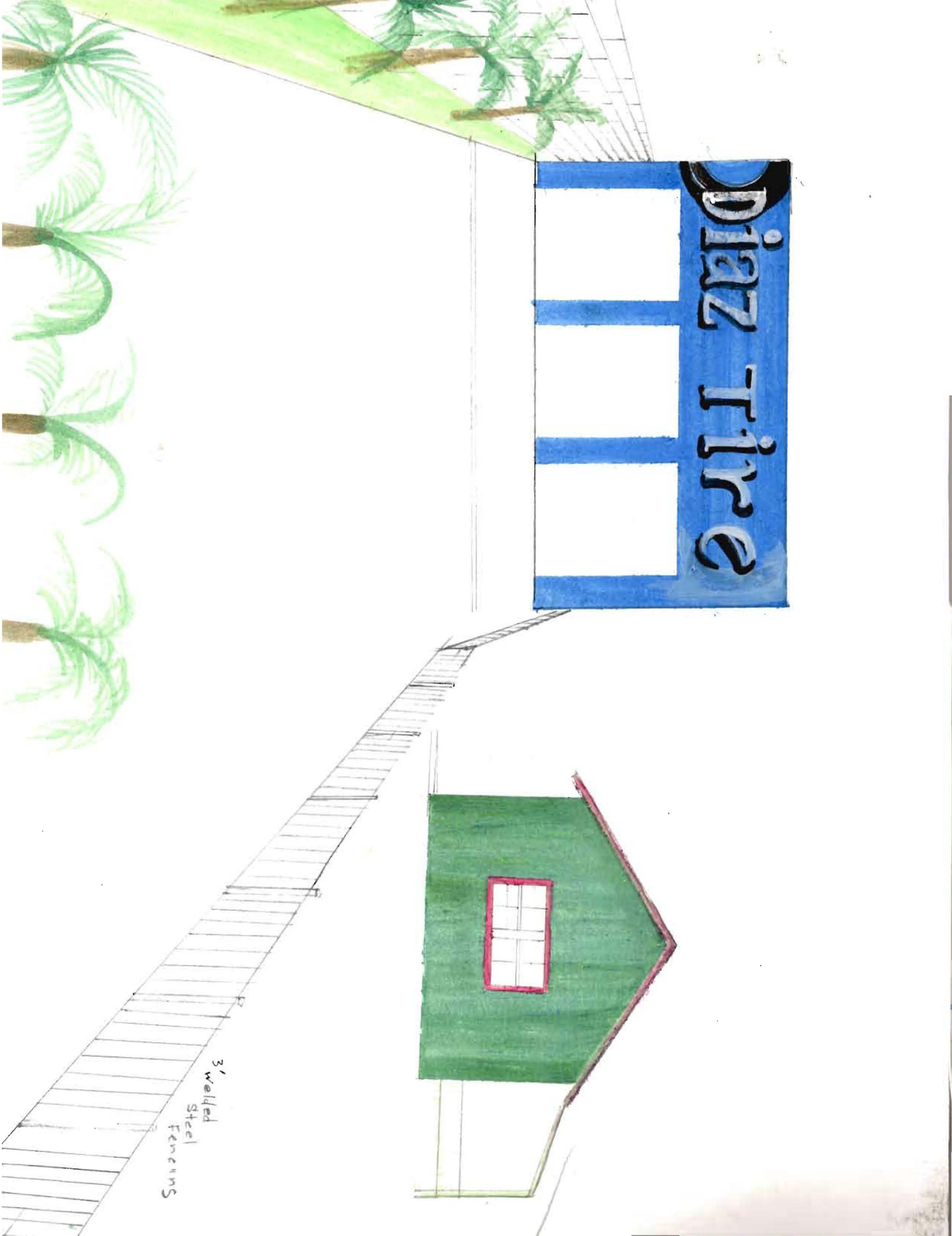
Proposed Fence

88'



\* (P) Grass \*  
\* (E) Black wal \*

\* Palm Trees  
& Retail



Diaz Tire

3' welded  
Steel  
Fencing