



CITY OF BAKERSFIELD PLANNING COMMISSION

MEETING DATE: February 15, 2024

AGENDA: 5.a.

TO: Chair Bashirtash and Members of the Planning Commission

FROM: Paul Johnson, Planning Director *J. Eng for PJ*

DATE: February 9, 2024

FILE: Extension of Time Vesting Tentative Parcel Map 12251 (Phased)

WARD: 5

STAFF PLANNER: Noeli Topete, Assistant Planner

REQUEST: Three-year extension of time for Vesting Tentative Parcel Map 12251 that allowed 9 commercial parcels and a designated remainder on 32.01 acres.

APPLICANT:
McIntosh & Associates
P.O. Box 21687
Bakersfield, CA 93390

OWNER:
Daryl C. Nicholson
2101 San Gabriel Ave
Clovis, CA 93611

LOCATION: Northeast corner of Old River Road and Panama Lane in southwest Bakersfield.

APN: 545-020-13

PROJECT SIZE: 32.01 acres

CEQA: Section 15060(c)(3) (*Review for Exemption*)

EXISTING GENERAL PLAN DESIGNATION: LMR (Low Medium Density Residential) and GC (General Commercial)

EXISTING ZONE CLASSIFICATION: R-2 (Limited Multiple Family Dwelling Zone) and C-2/PCD (Regional Commercial/Planned Commercial Development)

STAFF RECOMMENDATION: Adopt Resolution and suggested findings **APPROVING** extension of time for Vesting Tentative Parcel Map 12251 to expire on January 4, 2027.

SITE CHARACTERISTICS: The project site is largely vacant except for a gas station and convenience store occupying the southwest corner of the site. Surrounding properties are developed as: *north* – single-family homes; *east* – single-family homes and a self-storage business; *south* – undeveloped single-family residential land; and *west* – undeveloped single-family residential land and a pharmacy.

BACKGROUND AND TIMELINE:

- **July 31, 1991** – City Council approved a change in the zone district to A-20A (Agriculture – 20-acre minimum) upon annexation from the County of Kern to the City (Ordinance No. 3384)
- **August 11, 1992** – Buena Vista No. 5 was annexed to the City Of Bakersfield. This project site was included as a portion of this annexation area (Annexation 355).
- **May 26, 1993** –City Council approved a change in the zone district from A-20A (Agriculture – 20-acre minimum) to R-1 (One Family Dwelling) for the northern half of VTPM 12251 (Ordinance No. 3534).
- **July 28, 1993** – City Council approved a change in the zone district from A-20A (Agriculture – 20-acre minimum) to R-1 (One Family Dwelling) for the southern half of VTPM 12251 (Ordinance No. 3549).
- **March 7, 2012** – City Council approved a change in the zone district from R-1 (One Family Dwelling) to C-2/PCD (Regional Commercial/Planned Commercial Development) on 20.47 acres along Panama Lane (Ordinance No. 4661).
- **January 4, 2018** – The Bakersfield Planning Commission approved Vesting Tentative Parcel Map (VTPM) 12251 which was scheduled to expire on January 3, 2021. At that time, the Planning Commission also adopted a negative declaration (PC Resolution No. 05-18).
- **September 9, 2020** – City Council approved GPA/ZC 19-0184 and the mitigated negative declaration which changed the land use entitlements to a low medium density residential designation with corresponding R-2 (Limited Multiple Family Dwelling) zoning on the northern portion of VTTM 12251 (Ordinance No. 5019).
- **February 4, 2021** – Planning Commission approved PCD No. 20-0281 which proposed the development of a 118,755-square-foot regional commercial center on approximately 12.56 acres in the C-2/PCD (Regional Commercial/Planned Commercial Development Zone) district. The regional commercial center consists of multi-tenant retail space, grocery store, gym, and restaurant space. These uses are permitted “by-right” in the C-2 zone; however, when combined with the PCD zone, an additional level of review was provided to your Commission (PC Resolution No. 08-21).
- **March 4, 2021** – The Bakersfield Planning Commission approved a three-year extension of time for VTPM 12551 to expire on January 3, 2024 (Resolution No. 13-21).
- **June 17, 2021** – Vesting Tentative Tract Map 7381 overlays the designated remainder of VTPM 12251. The Bakersfield Planning Commission approved Vesting Tentative Tract Map (VTTM) 7381 for multiple family residences. VTTM 7381 is scheduled to expire on June 16, 2024. The Planning Commission also adopted a negative declaration (PC Resolution No. 31-21).
- **January 3, 2024**– The applicant submitted a completed application requesting an extension of time for VTPM 12251.

PROJECT ANALYSIS:

The proposed Vesting Tentative Parcel Map 12251 consists of 9 commercial parcels and a designated remainder on 32.01 acres. The commercial parcels range in size from 0.79 acres to 3.04 acres. The proposed map consists of 9 phases for financing reasons as well as meeting the current market demands. In June 2021, VTTM 7381, which overlays the designated remainder of VTPM 12251, was approved by the Bakersfield Planning Commission. VTTM 7381 proposes 58 duplexes on 58 lots, totaling 116 dwelling units.

Extension of Time. The applicant is requesting a three-year extension to allow additional time to record final maps. One phase of this map has recorded consisting of one commercial parcel on 2.32 acres. The Subdivision Map Act and the Bakersfield Municipal Code allow for separate extensions to be approved by your Commission with an aggregate of up to six years. Historically, City policy has been to approve

extensions of time in two (2), three-year intervals. The applicant requested the extension of time in writing prior to the January 3, 2024, expiration date. This request represents the last request for an extension of time for VTPM No.12251.

Circulation. Access to this subdivision would be from Old River Road (arterial) on the subdivision's west boundary and from Panama Lane (arterial) on the south.

Compliance with Standards. The proposed project, subject to the original conditions of approval, complies with the ordinances and policies of the City of Bakersfield.

ENVIRONMENTAL REVIEW AND DETERMINATION:

The extension of time request is not subject to the provisions of the California Environmental Quality Act ("CEQA") in accordance with Section 15060(c)(3) because the activity [extension of time] is not a project for purposes of CEQA. CEQA does not apply if the activity [extension of time] will not result in either a direct or a reasonably foreseeable indirect physical change in the environment.

PUBLIC NOTIFICATION:

Public notice for the proposed project and environmental determination was advertised in *The Bakersfield Californian* and posted on the bulletin board in the City of Bakersfield Development Services Building, 1715 Chester Avenue, Bakersfield, California. All property owners within 300 feet of the project site were notified by United States Postal Service mail regarding this public hearing in accordance with city ordinance and state law.

Comments Received. As of this writing, no written public comments have been received.

CONCLUSIONS:

Recommendation. The applicant provided the application for the Extension of Time in a timely manner and the request adheres to the extensions permitted by Bakersfield Municipal Code 16.16.080. The requested three-year extension will allow the developer additional time to record the final map. Based on information in the record, Staff recommends your Commission adopt the Resolution and suggested findings **APPROVING** the extension of time for Vesting Tentative Parcel Map 12251 to expire on January 3, 2027, with no changes to previously approved conditions of approval.

ATTACHMENTS:

Map Set

- Aerial
- Zone Classification
- General Plan Designation
- VTPM 12251 (plat)

Notice of Exemption

Planning Commission Draft Resolution