



REGULAR MEETING OF THE MADERA PLANNING COMMISSION

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

**Tuesday, April 11, 2023
6:00 p.m.**

**Council Chambers
City Hall**

The Council Chambers will be open to the public. This meeting will also be available for public viewing and participation through Zoom. Members of the public may comment on agenda items at the meeting or remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 89124834031# followed by *9 on your phone when prompted to signal you would like to speak, or by computer at <https://www.zoom.us/j/89124834031>. Comments will also be accepted via email at planningcommissionpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

CALL TO ORDER:

ROLL CALL:

Chairperson Robert Gran Jr.
Vice Chair Ramon Lopez-Maciel
Commissioner Rohi Zacharia
Commissioner Khubaib Sheikh
Commissioner Balwinder Singh
Commissioner Saim Mohammad
Commissioner Jose Eduardo Chavez

INTRODUCTION OF STAFF:

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: None

PUBLIC COMMENT:

The first 15 minutes of the meeting are reserved for members of the public to address the Commission on items which are within the subject matter jurisdiction of the Commission. Speakers shall be limited to three minutes. Speakers will be asked, but are not required, to identify themselves and state the subject of their comments. If the subject is an item on the Agenda, the Chairperson has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on

the Agenda should be held until the hearing is opened. The Commission is prohibited by law from taking any action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the Commission does not respond to public comment at this time.

PUBLIC HEARINGS:

1. CUP 2022-25 & SPR 2022-43 – El Epazote

Subject: A continued noticed public hearing to consider a conditional use permit and site plan review to allow for the sale of beer and wine for on-site consumption and use of an outdoor barbeque in conjunction with an existing 1,100 square foot restaurant. The site is located at 301 N. Gateway Dr. in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 007-071-001).

The project is considered to be categorically exempt per Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA) Guidelines.

Recommendation:

Conduct the public hearing and;

- a. Adopt a Resolution adopting a Finding of Categorical Exemption from CEQA pursuant to CEQA Guidelines Section 15301 (existing facilities) for the project and approving Conditional Use Permit 2022-25 and Site Plan Review 2022-43 subject to the findings and conditions of approval. (Report by James Troyer)

2. CUP 2023-04 – Logoluso Ranch Interim Agriculture

This item is being returned to staff for further discussion.

3. CUP 2023-01 & SPR 2023-01 – Mad House Batting Cages

Staff is requesting this item be continued to the May 9th Planning Commission meeting.

4. REZ 2023-01 – 308 N. C St.

Subject: A noticed public hearing to consider an application for a rezone. The rezone would establish conformity between the zoning district and the General Plan's land use designation for the parcel. Approval of the rezone would change the zone designation of the parcel from the current C1 (Light Commercial) zone to the R1 (Residential) zone. The site is located at 308 N. C St. with a General Plan land use designation of LD (Low Density) Residential. APN: 007-081-014

Staff performed a preliminary environmental assessment and determined that the project is exempt under California Environmental Quality Act (CEQA) Guidelines, Section 15061 (b)(3), Common Sense. The project proposes no physical development. The project site is served by all required public utilities. The approval of the project would not result in any significant effects relating to traffic, noise, air, air quality or water quality as it is only for a subdivision of parcels and no actual construction.

Recommendation:

Conduct the public hearing and;

- a. Adopt a Resolution of the Planning Commission of the City of Madera recommending the City Council of the City of Madera adopt a Finding of Exemption from California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) (General Rule) and approve Rezone 2023-01. (Report by Adileni Rueda)

5. REZ 2023-02, VAR 2023-02 & TPM 2021-02 – 405 Vineyard Ave.

Subject: A noticed public hearing to consider a rezone, variance and tentative parcel map for the property located at 405 Vineyard Ave. Rezone 2023-02 proposes to change the property's current zone district from R2 (One unit per each 3,000 square feet (sf)) to R1 (One unit per each 6,000 sf) for the purpose of conformity with the property's General Plan LD (Low Density Residential) land use designation. Tentative Parcel Map 2021-02 proposes to subdivide the 0.23-acre property with an existing single-family dwelling into two parcels: Parcel 1 (7,167 sf); and Parcel 2 (6,008 sf). Parcel 1 would support the existing residential dwelling. Variance 2023-02 is a request to deviate from the Planning and Zoning Ordinance of the Madera Municipal Code to acknowledge and permit the existing dwelling's non-conformity to the residential front yard setback requirement. The setback reduction would only apply to the existing dwelling in its present location and structural status. No subsequent expansion of the dwelling into the front yard setback would be permitted. The site is in an R2 Zone District with a LD (Low Density Residential) General Plan land use designation (APN: 008-071-001).

Staff performed a preliminary environmental assessment and determined that the project is exempt under California Environmental Quality Act (CEQA) Guidelines, Section 15061 (b)(3), Common Sense. The project proposes no physical development. The project site is served by all required public utilities. The approval of the project would not result in any significant effects relating to traffic, noise, air, air quality or water quality as it is only for a subdivision of parcels and no actual construction.

Recommendation:

Conduct the public hearing and;

- a. Adopt a Resolution of the Planning Commission of the City of Madera recommending the City Council of the City of Madera adopt a Finding of Categorical Exemption pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15315 (Minor Land Division) and approve Rezone 2023-02; and
- b. Adopt a Resolution of the Planning Commission of the City of Madera contingently approving Tentative Parcel Map 2021-02, subject to the findings and conditions of approval. (Report by Robert Smith)

ADMINISTRATIVE REPORTS:**COMMISSIONER REPORTS:****ADJOURNMENT:**

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- The meeting room is accessible to the physically disabled. Requests for accommodations for persons with disabilities such as signing services, assistive listening devices, or alternative format agendas and reports needed to assist participation in this public meeting may be made by calling the Planning Department's Office at (559) 661-5430 or emailing planninginfo@madera.gov. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be made as soon as practicable as additional time may be required for the City to arrange or provide the requested accommodation. Requests may also be delivered/mailed to: City of Madera, Attn: Planning Department, 205 W. 4th Street, Madera, CA 93637. At least seventy-two (72) hours' notice prior to the meeting is requested but not required. When making a request, please provide sufficient detail that the City may evaluate the nature of the request and available accommodations to support meeting participation. Please also provide appropriate contact information should the City need to engage in an interactive discussion regarding the requested accommodation.
 - The services of a translator can be made available. Please contact the Planning Department at (559) 661-5430 or emailing planninginfo@madera.gov to request translation services for this meeting. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be submitted in advance of the meeting to allow the City sufficient time to provide or arrange for the requested services. At least seventy-two (72) hours' notice prior to the meeting is requested but not required.

Any writing related to an agenda item for the open session of this meeting distributed to the Planning Commission less than 72 hours before this meeting is available for inspection at the City of Madera – Planning Department, 205 W. 4th Street, Madera, CA 93637 during normal business hours.

Pursuant to Section 65009 of the Government Code of the State of California, notice is hereby given that if any of the foregoing projects or matters is challenged in Court, such challenge may be limited to only those issues raised at the public hearing, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

All Planning Commission actions may be appealed to the City Council. The time in which an applicant may appeal a Planning Commission action varies from 10 to 30 days depending on the type of project. The appeal period begins the day after the Planning Commission public hearing. There is NO EXTENSION for an appeal period.

If you have any questions or comments regarding this hearing notice, you may call the Planning Department at (559) 661-5430. Si usted tiene preguntas, comentarios o necesita ayuda con interpretación, favor de llamar el Departamento de Planeamiento por lo menos 72 horas antes de esta junta (559) 661-5430.