



REGULAR MEETING OF THE MADERA PLANNING COMMISSION

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

**Tuesday, June 13, 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: 89774118453# followed by *9 on your phone when prompted to signal you would like to speak, or by computer at <https://www.zoom.us/j/89774118453>. 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.

CONSENT ITEMS:

1. ABN 2022-02 – Washington Elementary School Public Utility Easement

Subject: A finding of General Plan Conformity for the partial vacation of a Public Utility Easement at George Washington Elementary School.

This project is determined to be categorically exempt under the California Environmental Quality Act, Guidelines, Section 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15305 (Minor Alterations in Land Use Limitations), and 15314 (Minor Additions to Schools) as the project will not result in any changes in land use or density.

Recommendation:

Conduct the hearing and;

- a. Adopt a Resolution finding a 40-foot-wide vacation of an existing 60-foot-wide Public Utility Easement crossing George Washington Elementary School between East Lincoln Avenue and East South Street conforms with the City of Madera General Plan. (Report by Robert Smith)

2. Initiation of a Text Amendment to the Zoning Regulations of the Madera Municipal Code (MMC).

Subject: An initial of a Text Amendment to the Zoning Regulations of the Madera Municipal Code (MMC) to remove uses classified as Indoor Fitness, Athletic and Recreational Facilities from the list of uses requiring a use permit in the C1 (Light Commercial), C2 (heavy Commercial), and CN (Neighborhood Commercial) Zone Districts.

Recommendation:

- a. Adopt a Resolution of Intention to Initiate Procedure to Amend Title X, Chapter 3 of the City Municipal Code to remove uses classified as Indoor Fitness, Athletic and Recreational Facilities from the list of uses requiring a use permit in the C1 (Light Commercial), C2 (Heavy Commercial), and NC (Neighborhood Commercial) zone districts in accordance with the provisions of Section 10-3.1500 et seq. of the City Municipal Code. (Report by Will Tackett)

PUBLIC HEARINGS:

1. TPM 2022-05, CUP 2022-13 & SPR 2022-15 – Schnoor & Kennedy Development

Subject: A continued public hearing to consider a tentative parcel map, conditional use permit and site plan review for the property located at the northwest corner of Kennedy St. (Avenue 16) and N. Schnoor Ave. The parcel map will divide the property into two parcels. One parcel is proposed to be developed with a carwash and the second parcel with a convenience store and attached restaurant. The use permit will allow the sale of beer and wine for off site

consumption, in conjunction with the convenience store. The site is located in the C2 (Heavy Commercial) zone district with a C (Commercial) General Plan land use designation. APN: 013-230-005

The project is determined to be categorically exempt per Section 15303, New Construction or Conversion of Small Structures, 15315, Minor Land Divisions and 15332, In-fill Development Projects, of the California Environmental Quality Act (CEQA) Guidelines.

Recommendation:

Conduct the public hearing and;

- b. Adopt a Resolution adopting a Finding of Categorical Exemption from the California Environmental Quality Act (CEQA) for the project pursuant to CEQA Guidelines, Sections 15315, Minor Land Divisions and 15332, In-Fill Development Projects and approving Tentative Parcel Map 2022-05, Conditional Use Permit 2022-13 and Site Plan Review 2022-15, subject to the findings and conditions of approval. (Report by Will Tackett)

2. CUP 2023-03 – Country Club Chevron & Commercial Center

Subject: A noticed public hearing to consider an application for a conditional use permit to allow the development and operation of a 2,200 sq. ft. drive through coffee shop. The use permit would also allow the sale of beer and wine for off-site consumption and the sale of tobacco products within a previously approved convenience store. The site is located at the southeast corner of County Club Drive and Adell St. in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation. APN: 003-250-026

An Initial Study/Negative Declaration was prepared for and adopted by the Planning Commission on December 14, 2021, consistent with the provisions of the California Environmental Quality act, CEQA Guidelines for the proposed Country Club Chevron and Commercial Center inclusive of the proposed 2,200 sq. ft drive through coffee shop and convenience store. No further environmental review is required.

Recommendation:

Conduct the public hearing and;

- a. Adopt a Resolution approving Conditional Use Permit 2023-03, subject to the findings and conditions of approval (Report by James Troyer).

3. REZ 2022-08, CUP 2022-34 & SPR 2022-42 – Mammoth Oxygen, Inc.

Subject: A noticed public hearing to consider an application for a rezone, conditional use permit and site plan review to allow the establishment of a Mammoth Oxygen retail welding supply store at 794 S. Pine St. The Rezone would rezone the property from the current U (Unclassified) Zone District to I (Industrial) for consistency with the site's General Plan land use designation of I (Industrial). The use permit along with the site plan review, would allow the mixing and storage of paint as well as the storage and handling of oxygen supply tanks and to allow retail sales in an Industrial Zone District. The site is located on the northwest corner of S. Pine St. and W. Almond Ave. APN: 009-330-026

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

Recommendation:

Staff is requesting this item be continued to the July 11th, 2023, Planning Commission meeting.

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.