

**CITY OF MADERA PLANNING COMMISSION
REGULAR MEETING
February 13, 2018**

CALL TO ORDER: The meeting was called to order by Chairperson Gran at 6:00 p.m.

ROLL CALL

PRESENT: Commissioner Robert Gran Jr. (Chairperson)
Commissioner Jim Da Silva
Commissioner Pamela Tyler
Commissioner Kenneth Hutchings
Commissioner Richard Broadhead

ABSENT: Commissioner Israel Cortes (Vice Chairperson)
Commissioner Bruce Norton

STAFF: Dave Merchen, Community Development Director
Christopher Boyle, Planning Manager
Robert Holt, Assistant Planner
Keith Helmuth, City Engineer
Brent Richardson, City Attorney
Brandi Garcia, Recording Secretary

PLEDGE: Commissioner Gran led the Pledge of Allegiance.

PUBLIC COMMENT: None

MINUTES: December 12, 2017 & January 9, 2018

Commissioner Tyler moved to approve the minutes of December 12, 2017 and January 9, 2018. The motion was seconded by Commissioner Hutchings and carried unanimously.

CONSENT ITEMS:

C1. SPR 2009-21 EXT 5 & Multiple CUP Extensions – Foxglove Shopping Center

A request for an extension of an approved site plan review and various conditional use permit sin support of the development of a retail shopping center. The property is 19.51 acres in size and is located on the southeast corner of Schnoor Avenue and Foxglove Way in the C2 (Commercial) Zone District with a C (Commercial) General Plan land use designation. An environmental impact report, mitigation monitoring and reporting program, statement of overriding considerations, and related findings for all project components were completed in conjunction with the proposal. The retail shopping center was approved and the environmental impact report was certified by the Planning Commission on February 12, 2013.

Commissioner Hutchings moved to approve Motion 1, seconded by Commissioner DaSilva. The motion carried unanimously.

NON PUBLIC HEARING ITEMS:

None

PUBLIC HEARING ITEMS:

1. REZ 2017-06, CUP 2017-36 & SPR 2017-53 – Boston Motors

A noticed public hearing to consider a rezone of one parcel (APN: 007-123-003) encompassing approximately 6,000 square feet from the R3 (High Density Residential) Zone District to the C1 (Light Commercial) Zone District, and a conditional use permit and site plan review to allow for the establishment of a used automotive sales business on four parcels located at the northwest corner of East Yosemite Avenue and High Street in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation. A Negative Declaration will also be considered by the Planning Commission. (APN's 007-123-003, 004, 005 & 006)

Planning Manager, Christopher Boyle requested a continuance to the March 13, 2018 Planning Commission meeting.

Commissioner Hutchings made a move to approve the continuance. Seconded by Commissioner Broadhead, the motion carried unanimously.

2. Development Agreement Annual Review – Madera Town Center

An annual review of the development agreement approved in conjunction with the Madera Town Center project (Ordinance 821) for the period running through August 1, 2017. This annual review has been scheduled pursuant to Section 10-3.1715 of the Madera Municipal Code, which required that the Planning Commission determine whether the principal party to the agreement, Zelman Retail Partners, has complied in good faith with the terms of the development agreement. (APN: 013-240-001)

Christopher Boyle, Planning Manager presented the item.

City Attorney, Brent Richardson reminded the Commissioners that they are only taking action on whether or not the applicant is in compliance or not.

Commissioner Gran confirmed that since Love's will be doing most of the improvements across the street so most of this basically becomes void, but they will still be responsible to connect across the street, correct?

Mr. Boyle confirmed and said that next year they would anticipate that some of the requirements for Zelman would be satisfied because of the improvements on the South side of the street. The reimbursements would change as well and he would update the Commission in a year.

Commissioner DaSilva asked about the over pass at Avenue 17, and if it could withstand Love's and this project.

Mr. Boyle said that there are many projects that would ultimately impact the Avenue 17 and Hwy 99 interchange. As construction occurs there, the impacts will be addressed by Cal Trans as they occur.

The applicant was not in audience, nor was there anyone to speak on the item.

Commissioner Da Silva made a move to approve Motion 1, seconded by Commissioner Tyler. The motion carried unanimously.

3. Development Agreement Annual Review – Madera Travel Center

An annual review of the development agreement approved in conjunction with the Madera Travel Center project (Ordinance 938) for the period running through December 21, 2017. This annual review has been scheduled pursuant to Section 10-3.1715 of the Madera Municipal Code, which required that the Planning Commission determine whether the principal party to the agreement, Love's Travel Center, has complied in good faith with the terms of the development agreement. (APN's: 013-240-004, 005, 006 & 007)

Christopher Boyle, Planning Manager presented the item.

Commissioner Gran noted there are specific due dates on the improvements. Love's has also acted in good faith and carried the torch in pursuing the project. The funding and the guidelines all make sense. Number 13 does call out for specific ramp improvements before they can be granted occupancy.

Mr. Boyle noted the developer has entered an agreement with Cal Trans for those improvements.

The applicant was invited to step forward.

Kim VanDyke stepped to the podium. He noted that staff has become part of their family. This is the number one project. They have done everything they said they would and more. Greg wants this done, and he wants it done tomorrow. They are grateful for all the support they have received on this project.

Commissioner Broadhead made a move to approve Motion 1, seconded by Commissioner Da Silva. The motion carried unanimously.

4. OTA 2017-02 – Quimby Act Ordinance

A public hearing and consideration of adoption of a resolution of the Planning Commission of the City of Madera recommending to the City Council of the City of Madera adoption of an ordinance adding chapter 10-2.1300 to the Madera Municipal Code in order to establish a method for coordinated acquisition and development of City park facilities consistent with Government Code Section 66477, the Quimby Act.

Christopher Boyle, Planning Manager summarized the item.

Commissioner Gran confirmed that for about every 200 to 300 homes the City will require three acres of park space.

Mr. Boyle said yes that would pose the opportunity for the City to require the dedication of the three acres of land or an in lieu of payment to purchase park land that must be in proximity to serve that site.

Commissioner Gran asked if the in lieu fees were strictly for the purchase of land or if they could be used to maintain existing parks.

Mr. Boyle stated they are exclusively for acquisition. If it is not used for the stated purpose in five years it can be returned.

Commissioner Gran asked if the three acres per thousand was standard of valley areas.

Mr. Boyle replied that he thinks there is a mixture that probably lands around four acres per thousand. The Quimby Act requires you to start at the three acres per thousand if you are not there already. If we reach that point we can look at amending that to four or five or somewhere in between.

Commissioner Da Silva made a move to approve Motion 1, seconded by Commissioner Hutchings. The motion carried unanimously.

ADMINISTRATIVE REPORTS:

- 1. Zoning Ordinance Update – Planning Commission Workshop**

COMMISSIONER REPORTS:

The meeting adjourned at 7:20 pm



Planning Commission Chairperson



Brandi Garcia, Recording Secretary