

**CITY OF MADERA PLANNING COMMISSION
REGULAR MEETING
August 14, 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 Israel Cortes (Vice-Chairperson)
Commissioner Kenneth Hutchings
Commissioner Richard Broadhead
Commissioner Pamela Tyler
Commissioner Bruce Norton

ABSENT: Commissioner Jim DaSilva

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

PLEDGE: Commissioner Gran led the Pledge of Allegiance.

PUBLIC COMMENT: None

MINUTES: None

CONSENT ITEMS: None

PUBLIC HEARING ITEMS:

1. PPL 2005-01 MOD2 – Tierra Vista Estates Amendment

A continued noticed public hearing to consider an application for amendment to a precise plan to allow for the addition of four (4) home models to be built upon thirty-six (36) vacant lots within the Tierra Vista Estates subdivision, located at the northwest corner of the intersection of Emily Way and Gary Lane in the PD 3000 (Planned Development) Zone District with an MD (Medium Density Residential) General Plan land use designation (Multiple APN's). The project has been determined to be categorically exempt under the California Environmental Quality act (CEQA) guidelines, Section 15332 (In-Fill Development Projects).

Christopher Boyle, Planning Manager presented the item.

Commissioner Norton asked about the landscaping and the MWELO minimum requirement.

Mr. Boyle said when there is more than 2500 sq. ft. available for landscaping an MWELO plan is required. If you complete the analysis the amount of lawn you can have becomes more than if you do one of the Appendix D type of plans which places a cap on

the amount of turf at 625 sq. ft. But with the full MWELo landscape plan, if you can put more turf in and still qualify as far as water consumption, you are not really capped at the amount of lawn.

In the case of the landscaping plans we have that came in behind MWELo we see a lot of stark landscaping plans. We would like to see it evolve with a greater green scape in the front yards and still make the MWELo in the plans.

Plant types and water usage are calculated and must be within the maximum water allotment.

Applicant, Ubaldo Garcia of 156 Asilomar Dr. in Madera stepped to the podium. He said this project was challenging because of the lot sizes. They are working to develop a new landscaping design that is both attractive and water friendly.

Commissioner Gran confirmed that Mr. Garcia is in agreement with all conditions.

Commissioner Tyler moved to approve Motion 1. Seconded by Commissioner Norton, the motion carried unanimously.

2. CUP 2018-10 – La Quinta Inn Alcohol Sales

A continued noticed public hearing to consider a conditional use permit to allow for the sale of beer and wine for on-site consumption in conjunction with the La Quinta Inn remodel located at the northeast corner of the intersection of East 4th Street and North G Street (317 North G Street) in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 006-095-010). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).

Planning Manager, Christopher Boyle presented the item.

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

3. TSM 2017-02 – CVI Subdivision

A noticed public hearing to consider a tentative subdivision map that will provide for the subdivision of two (2) existing parcels encompassing a total of approximately 2.9 acres into a twenty (20) lot single-family residential subdivision. The project will include major infrastructural improvements including the construction of a collector street that will connect Kennedy Drive and Adell Street between Austin Street and Lake Street. The project site is located at the southwest corner of the intersection of North Lake Street and East Adell Street in the PD 4500 (Planned Development) Zone District with an LD (Low Density Residential) General Plan land use designation. A Negative Declaration will also be considered by the Planning Commission (APN's: 004-170-007 and 008).

The item was presented by Planning Manager, Christopher Boyle.

Commissioner Norton asked if it was the intent to vacate the red portion of Adell.

Mr. Boyle said no, only the northern corner is a component of the map. The other lands aren't under an application for subdivision. What we do with the Adell St. alignment right now is nothing. As the area grows, Adell will not reach all the way to Lake, it will cul-de-

sac and allow for the traffic to cycle through the interconnect to Kennedy at a primary signalized intersection at Kennedy and Lake.

The applicant, Edward Gallegos stepped to the podium. He thanked Engineering and Planning for working with him on this project. Mr. Gallegos stated he is in agreement with all the conditions.

Commissioner Tyler moved to approve Motion 1a. Seconded by Commissioner Norton, the motion carried unanimously.

Commissioner Tyler moved to approve Motion 1b. Seconded by Commissioner Hutchings, the motion carried unanimously.

4. GPA 2018-03 & REZ 2018-03 – City/Successor Agency/Housing Authority

A noticed public hearing to consider a General Plan Amendment and Rezone of four parcels located in proximity to the intersection of North C Street and East 5th Street (121, 125, 200 and 204 North C Street). The General Plan Amendment would change the General Plan land use designations from the P&SP (Public and Semi-Public) and C (Commercial) to the HD (High Density) land use designation. The Rezone would change the zoning of the project parcels from the PF (Public Facilities) and the C1 (Light Commercial) Zone Districts to the PD-1500 (Planned Development) Zone District. A negative Declaration will also be considered by the Planning Commission (APN:'s 007-082-004 and 005, 007-112-014 and 015).

Christopher Boyle, Planning Manager presented the item.

Commissioner Norton moved to approve Motion 1a. Seconded by Commissioner Cortes, the motion carried unanimously.

Commissioner Norton moved to approve Motion 1b. Seconded by Commissioner Cortes, the motion carried unanimously.

5. CUP 2013-14MOD – Brar Interim Ag

A noticed public hearing to consider an amendment to Conditional Use Permit 2013-14, which allows for interim agricultural activities on approximately 137 acres located at the southwest corner of East Pecan Avenue and Golden State Boulevard within the Ventana Specific Plan area. The amendment request would allow for the continued farming of an almond orchard for a period not to exceed five years (APN: 012-490-002). An initial study and Negative declaration were adopted by the Planning Commission in May of 2014.

Planning Manager, Christopher Boyle requested a continuance of this item to the September 11, 2018 Planning Commission meeting.

Commissioner Hutchings moved to approve Motion 2. Seconded by Commissioner Tyler, the motion carried unanimously.

6. CUP 2016-36MOD – Arco Gas Station

A noticed public hearing to consider an amendment to Conditional Use Permit 2016-36. Condition No. 67 only allows for a transferred Type 20 ABC license to allow for the off-site consumption of beer and wine in conjunction with a mini mart. The applicant would like to alter the condition of approval to allow for a new Type 20 ABC license. The

project site is located at the northeast corner of the intersection of Madera Avenue and East Pecan Avenue in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 012-133-039). An initial study and Mitigated Negative Declaration were adopted by the Planning Commission in December of 2017.

Christopher Boyle, Planning Manager presented the item.

Ty Karazi of 2000 Fresno St. in Fresno, Ca. stepped to the podium. He is the attorney for the applicant, Millennium Acquisitions LLC. He personally contacted three brokers in California trying to find one within the Census Tract, it has taken them 7 months to request this amendment and find a liquor license. They offered as much as a local grocery store an nobody would give one up. His client has given up the right to sell for inside consumption in the restaurant. He thinks that is a fair exchange. They will be ready to break ground in the next couple months.

Commissioner Norton moved to approve Motion 1. Seconded by Commissioner Cortes, the motion carried unanimously.

7. CUP 2018-13 – Mad Fitness #2

A noticed public hearing to consider a conditional use permit and site plan review to allow for the establishment of a group exercise studio in conjunction with an Herbalife business within an existing tenant suite on property located at the southeast corner of the intersection of Country Club Drive and East Clark Street (1475 Country Club Drive, Suite 103) in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation. The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities) (APN: 003-210-009).

Jesus Orozco, Assistant Planner presented the item.

The applicant, Maria Alvaro of 1445 Country Club Dr. Ste. 103 stepped to the podium. She stated is in agreement with the conditions.

Commissioner Tyler moved to approve Motion 1. Seconded by Commissioner Cortes, the motion carried unanimously.

8. VAR 2018-02 – Walmart Sign

A noticed public hearing to consider a variance from the Sign Ordinance of the Madera Municipal Code that would allow for 563 square feet of on-building signage where 439 square feet of on-building signage was allowed. The project site is located approximately 1,000 feet east of the intersection of North Schnoor Avenue and West Cleveland Avenue (1977 West Cleveland Avenue) in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation. The project has been determined to be categorically exempt under California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities) (APN: 013-160-014).

The item was presented by Christopher Boyle, Planning Manager.

The applicant, Leticia of Harris and French and Associates at 1705 S. Walton Blvd. in Bentonville, AR Stepped to the podium on behalf of Walmart. She stated they are in agreement with all conditions.

Commissioner Cortes moved to approve Motion 1. Seconded by Commissioner Norton, the motion carried unanimously.

9. VAR 2018-03 – Non-Conforming Accessory Structure

A noticed public hearing to consider a variance from the R (Residential) Zone District setback standards of the Madera Municipal Code that would allow for a 2'-4" interior side yard setback where a minimum of five (5') feet is allowed on property located approximately 270 feet north of the intersection of Maple Street and Stadium Road (201 ½ Stadium Road) in the R1 (Low Density Residential) Zone District with an MD (Medium Density Residential) General Plan land use designation. The project has been determined to be categorically exempt under California Environmental Quality Act (CEQA) guidelines, Section 15305 (Minor Alterations to Land) (APN: 012-091-009).

Jesus Orozco, Assistant Planner presented the item.

Applicants, Ken and Kay McCullough of 24169 Avenue 13 ¾ in Madera stepped to the podium. Mr. and Mrs. McCullough stated they are in agreement with the conditions.

Commissioner Norton moved to approve Motion 1. Seconded by Commissioner Tyler, the motion carried unanimously.

10. VAR 2018-04 – United Rentals Electric Fence

A noticed public hearing to consider a variance from Section 10-3.412 (fences, walls and hedges) of the Madera Municipal Code that would allow for an electric security fence ten (10') feet in height where a maximum of six (6') feet in height is allowed. The project site is located at the northwest corner of the intersection of West Almond Avenue and Madera Avenue (750 Madera Avenue) in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 009-600-006). The project has been determined to be categorically exempt under California Environmental Quality Act (CEQA) guidelines, Section 15311 (Accessory Structures) (APN: 012-133-015).

Christopher Boyle requested a continuance of this item to the September 11, 2018 Planning Commission meeting.

Commissioner Gran said he would like to see a detailed plan and pictures of the fence.

Commissioner Norton moved to approve Motion 2. Seconded by Commissioner Cortes, the motion carried unanimously.

11. PPL 2014-01 MOD3 – Capistrano XVI

A noticed public hearing to consider a request for modification of Precise Plan 2014-01 to allow for a change in the approved home plans and amendment of certain development standards applicable to the 103-lot Capistrano 16 subdivision generally located north of Almond Avenue and east of Westberry Boulevard in the PD-4500 (Planned Development) Zone District with an LD (Low Density) General Plan land use designation (APN: 009-600-006). An initial study and Negative Declaration were adopted by the Planning Commission in October of 2014.

Assistant Planner, Jesus Orozco presented this item.

Commissioner Norton asked why there is only two models.

Staff advised that the two models would be added to the five models already approved.

The applicant, Ubaldo Garcia of 156 Asilomar Dr. in Madera stepped to the podium. Commissioner Tyler moved to approve Motion 1. Seconded by Commissioner Cortes, the motion carried unanimously.

12. CUP 2018-12 – Manriquez Large Family Daycare

A noticed public hearing to consider a request to consider an appeal of a Conditional Use Permit to allow for the expansion of family daycare facility due to opposition from the surrounding community. The residential site is located at 639 Macadamia Avenue in the PD-4500 (Planned Development) Zone District with an LD (Low Density) General Plan land use designation. The project has been determined to be categorically exempt under California Environmental Quality Act (CEQA) guidelines, Section 15274 (Family Day Care Homes) (APN: 012-350-019).

The item was presented by Jesus Orozco, Assistant Planner.

Commissioner Norton confirmed that the number of children is restricted to at one time not by day.

The applicant, Biviana Manriquez of 639 Macadamia Ave. in Madera stepped to the podium. She mentioned she has been doing daycare for 14 years and is wanting to expand to a large daycare.

Commissioner Tyler asked how many workers are needed for 14 children.

Mr. Manriquez said one helper is required.

Commissioner Gran confirmed that would be the daughter.

Darryl Stickman of 623 Macadamia Ave. stepped to the podium. He is a neighbor of the applicant. They share a driveway and he does not notice any additional traffic, etc. from the daycare.

Michelle Bonilla of 1943 Lemon Ave. in Madera stepped to the podium. She used to be the neighbor on the other side of the daycare. There were never any issues.

Commissioner Tyler moved to approve Motion1. Seconded by Commissioner Cortes, the motion carried unanimously.

ADMINISTRATIVE REPORTS:

Unable to hear audio.

COMMISSIONER REPORTS:

None

ADJOURNMENT:

The meeting adjourned at 6:47pm



Planning Commission Chairperson



Brandi Garcia, Recording Secretary