REGULAR MEETING AGENDA
CITY OF MADERA
PLANNING COMMISSION

COUNCIL CHAMBERS - CITY HALL
TUESDAY
May 14, 2019
6:00 pm

CALL TO ORDER

ROLL CALL

Commissioner Robert Gran, Jr. (Chairperson)
Commissioner Israel Cortes (Vice Chairperson)
Commissioner Richard Broadhead
Commissioner Ryan Cerioni
Commissioner Ramon Lopez-Maciel
Commissioner Pamela Tyler
Commissioner Alex Salazar

INTRODUCTION OF STAFF

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

The first fifteen 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 to identify themselves and state the subject of their comment. 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.

MINUTES: April 9, 2019

NON-PUBLIC HEARING ITEMS: None

CONSENT ITEMS: None

PUBLIC HEARING ITEMS:

1. **CUP 2018-24 through 29 & SPR 2018-39 – Yosemite Commercial Plaza**
   A continued public hearing to consider an application for six conditional use permits and a site plan review to allow for the construction of a retail shopping center with five building pads encompassing approximately 26,000 square feet, including three drive-thru uses and three outdoor dining patio areas located on the southwest corner of the intersection of East Yosemite Avenue and Elm Street in the C1 (Light Commercial) Zone District and the C (Commercial) General Plan land use designation (Multiple APNs). A Mitigated Negative Declaration will be considered by the Planning Commission.

2. **VAR 2019-01 – Dunkin' Donuts Sign Variance**
   A noticed public hearing to consider a variance from the sign ordinance of the Madera Municipal Code to allow for an additional 17 square feet of on-building signage where 563 square feet are currently allowed on the Walmart building located approximately 700 feet east of the intersection of West Cleveland Avenue and North Schnoor Avenue (APN: 013-160-014).

3. **CUP 2019-06 & SPR 2019-15 – TranPak**
   A noticed public hearing to consider a conditional use permit and site plan review to allow for the construction of an approximately 65,000 square foot industrial warehouse and outdoor storage in conjunction with the establishment of a plastic pallet manufacturing and distribution business located on property in the Freedom Industrial Park on the northeast corner of the intersection of Victory Lane and Pecan Avenue in the I (Industrial) Zone District with an I (Industrial) General Plan land use designation (APNs: 009-331-010 and 011).

WORKSHOPS:

1. **2009 General Plan – Part 1**

ADMINISTRATIVE REPORTS:

COMMISSIONER REPORTS:

ADJOURNMENT:

The next regular meeting will be held on June 11, 2019.

In compliance with the Americans with Disabilities Act, the meeting room is accessible to the physically disabled and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices or translators needed to assist participation in the public meeting should be made at least seventy-two (72) hours before the meeting. If you need special assistance to participate in a City meeting or other services offered by this City, please contact the Planning Department office at (559) 661-5430. Those who are hearing impaired, may call 711 or 1-800-735-2929 for TTY Relay Services. Any and all persons interested in this matter may provide comments.

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.

Return to Agenda

CITY OF MADERA
PLANNING COMMISSION

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

Staff Report: Yosemite Commercial Plaza
CUP 2018-24 through 29, SPR 2018-39 & Environmental Determination
Item # 1 – May 14, 2019

PROPOSAL: Consideration of multiple conditional use permits and a site plan review to allow for the development of five commercial buildings encompassing approximately 26,000 square feet, including three drive-thru uses and three outdoor patio areas.

APPLICANT:	Armstrong Development Properties	**OWNER:**	Muhammad Latif
ADDRESS:	SWC of East Yosemite Avenue & Elm Avenue	**APN:**	Multiple
APPLICATION:	CUP 2018-24 through 29, SPR 2018-38	**CEQA:**	Mitigated Negative Declaration

LOCATION: The project site is located at the southwest corner of the intersection of East Yosemite Avenue and Elm Street.

STREET ACCESS: The site has access to East Yosemite Avenue, Elm Street and Fig Street.

PARCEL SIZE: Six parcels encompassing approximately five acres

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C1 (Light Commercial)

SITE CHARACTERISTICS: The project site is generally surrounded by commercial and residential development to the north and east, residential development to the west and a City storm draining ponding basin directly to the south.

ENVIRONMENTAL REVIEW: An initial study and a Mitigated Negative Declaration have been prepared for consideration by the Planning Commission (Commission), consistent with the California Environmental Quality Act (CEQA) guidelines.

SUMMARY: The project includes the construction of five commercial buildings encompassing approximately 26,000 square feet. Three of the commercial buildings will accommodate restaurants, each with a drive-thru use and an outdoor dining patio area. The project is proposed to be developed in two phases. The commercial development is consistent with the City's General Plan, Design and Development Guidelines and the Zoning Ordinance. Staff recommends approval of the project as conditioned.

APPLICABLE CODES AND PROCEDURES

MMC § 10 3.4.0102 Site Plan Review Applicability
MMC § 10 3.802 Light Commercial Zone
MMC § 10 3.1201 Parking General Requirements
MMC § 10 3.1202 Parking Spaces Required
MMC § 10 3.1301 Use Permits
MMC § 10-6.13 Special Use Signs

The City's Zoning Ordinance allows for the granting of a use permit by the Planning Commission (Commission), subject to the Commission being able to make findings that the establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

If the Commission cannot make the appropriate findings, the use should be denied. Conditions may be attached to the approval of the use permit to ensure compatibility. Project design may be altered and on-or off-site improvements required in order to make the project compatible with nearby uses. In addition, the application may be subject to further review, modification or revocation by the Commission as necessary. The completion of a site plan review is mandated by ordinance as a component of the conditional use permit application.

PRIOR ACTION

No entitlements have ever been approved in association with an application for development of the project site. Development was proposed by Ironhorse Development in 2010, but no formal development application was ever processed. A byproduct of the Ironhorse proposal was a Disposition and Development Agreement (DDA) having been executed on the property. The City's Oversight Board adopted Resolution No. COB 19-03 approving the Madera Successor Agency to release the DDA in March of 2019. The dissolution of the development agreement is under review, pending final approval by the State's Department of Finance. The applicant continues to collaborate with the City of Madera Successor Agency to complete the necessary process that releases the project site from the DDA.

ANALYSIS

The following analysis will describe each of the six proposed conditional use permits, which would provide allowances for a drive-thru and outdoor dining for each of three different restaurant tenants. Consistency with the City's General Plan, Design and Development Guidelines and the Zoning Ordinance will be examined within the analysis of the proposed site plan review, which cumulatively allows for the phased development of the commercial shopping plaza.

Project Proposal

The applicant is proposing the development of a commercial shopping plaza to include five buildings encompassing a total of approximately 26,000 square feet. Three of the buildings are proposed to be developed as quick-service restaurants, each with a drive-thru use and an outdoor dining patio area.

The project is proposed to be developed in two phases as shown in Attachment 2B. Phase one will include the development of Pad 1 and 2 and the associated drive-thru use and an outdoor patio area. Phase two will include the development of Pads 3, 4 and 5 and the associated drive-thru uses and outdoor patio areas. In order to maintain entitlements on the project site active, the applicant will be required to secure the necessary building permits and/or commence construction of phase two within twelve months of final occupancy of phase one as recommended in the conditions of approval. Failure to maintain the associated phase two entitlements active within the stated period or without a written request for an extension, will result in the associated phase two use permits and site plan review to be null and void. The recommended conditions of approval, including mitigation measures as required by Caltrans, will ensure key components of each construction phase does not impact surrounding uses.

The individual buildings are proposed to be developed with the following areas and uses as indicated in the table below.

	Area	Primary Use	Accessory Use
Pad 1	2,400 sq. ft.	Quick Serve / Coffee	Drive-thru / Outdoor Patio
Pad 2	3,200 sq. ft.	Retail	None
Pad 3A	5,500 sq. ft.	Retail	None
Pad 3B	2,200 sq. ft.	Quick Service / Restaurant	Drive-thru / Outdoor Patio
Pad 4	2,200 sq. ft.	Quick Service / Restaurant	Drive-thru / Outdoor Patio
Pad 5	9,965 sq. ft.	Retail	None

Staff recommends that a six-foot split-faced masonry block wall be constructed along the project site's rear property lines that are adjacent to residential properties to provide screening from light glare and lower noise attenuation.

The drive-thru and the outdoor seating uses require approval of a conditional use permit by the Commission. The site plan review facilitates the construction of the commercial development through conditions of approval that ensure compliance with the General Plan, Design and Development Guidelines (DDG) and the Zoning Ordinance development standards.

General Plan Conformance

The proposed commercial development provides compliance with the General Plan and the C1 (Light Commercial) Zone District development standards by implementing the goals and policies of the General Plan as follows:

Goals: CD-1 High quality urban design throughout Madera.

CD-4 Attractive streetscapes in all areas of Madera.
CD-5 Walkable Community.
CD-11 Design commercial development to enhance the pedestrian environment.
CD-12 Aesthetically pleasing commercial development.

The following supporting policies provide implementation of the goals with attention to the following Community Design directives for commercial development that cumulatively provide conformance with the General Plan.

Site Design

Building Pads 1, 2, 3 and 4 have been designed to provide a presence along the East Yosemite Avenue frontage to enhance the pedestrian scale and reduce the visual impact of the parking lot as required by Policies CD-15 & CD-57. The site design also includes three outdoor patio areas for restaurant patrons, which is an encouraged feature within shopping centers and plazas as indicated by Policy CD-54. The drive-thru window locations are incorporated into the design of each individual building in such a way that does not substantially detract from the overall value of the building and is consistent with the City's DDG.

Architecture

The buildings will provide four-sided elevations with attractive, contemporary commercial architectural features consistent with Policy CD-53. The otherwise unarticulated, boxy structures will provide varied use of window sizes, awnings, canopies, thin stone veneers, horizontal trim and score lines and varying surfaces to create a horizontal emphasis that cumulatively provide architectural value to the structure.

Because the structure will be visible in all directions, it is recommended that all exterior utilities be located within the interior of the building or that they be significantly screened by landscaping. Staff also recommends that roof access be located within the interior of the structure.

Landscaping

Landscaping is proposed to enhance and embellish the appearance of the project site. Landscaping is proposed between the public right-of-way and the drive-thru lanes and all other street frontages. The proposal includes landscaping peninsulas around the project site and throughout the parking field, with drive aisles that provide for a defined separation of the building pads into individual units, consistent with Policy CD-58. The plant species and placement of the landscaping peninsulas are intended "to create an attractive pedestrian environment and reduce the impact of heat islands". (Policy CD-50)

Parking

The City's parking standards for all uses in the commercial plaza are as follows:

		Required Parking	Parking Ratio	Provided Parking
Pad 1	Starbucks	37	1 stall per 3 seats (max 111 seats)	37
Pad 2	Verizon	11	1 stall x 300 sq. ft.	38
Pad 3A	Retail	19	1 stall x 300 sq. ft.	19
Pad 3B	Restaurant	31	1 stall per 3 seats (max 93 seats)	25
Pad 4	Restaurant	34	1 stall per 3 seats (max 102 seats)	28
Pad 5	Food Retail	40	1 stall x 250 sq. ft.	38
All Uses		**172**	**-**	**185**

As indicated in the parking matrix above, there is ample parking to serve all the proposed uses in the commercial plaza.

Drive-thru Use Permits

As proposed, the drive-thru lanes for Pads 1, 3 and 4 do not directly affect the public right-of-way. The DDG recommends a no less than ten-vehicle queuing depth for restaurant drive-thru stacking lanes. Each drive-thru stacking lane will provide queuing for a minimum of ten vehicles. Staff recommends that three-foot tall hedges be planted along each drive-thru lane to effectively screen issues of headlight glare into the public right-of-way, as required by the DDG. Staff also recommends that decorative cobble and stone surround the preview and menu boards and be complemented by attractive ground cover and shrubbery throughout the entirety of each drive-thru lane. Shade trees will be required to be placed along the public entrance to the commercial plaza to detract attention from the drive-thru lane and throughout the parking field to provide greater shade for vehicles.

Starbucks (Pad 1)

Starbucks Coffee (Pad 1) is the only quick-service restaurant anticipated to immediately occupy the site with proposed hours of operations occurring as early as 5 AM and as late as midnight, seven days a week. In addition to the allowance for the drive-thru hours, the applicant is proposing to incorporate a digital order screen as part of the Starbucks drive-thru preview and menu boards system. The digital ordering screen would allow for interaction between the customer and Starbucks employees, similar to a "FaceTime" interface where there is "real time" video communication.

The City's Sign Ordinance does not make specific provisions for a digital order screen within the Special Use Signs (MMC § 10-6.13) section of the ordinance. The Planning Commission may grant an allowance for the requested signage as a component of the conditional use permit which allows for the drive-thru use in association with the operation of Starbucks Coffee. It should be noted that the ordering screen was previously approved for the Starbucks located on Kennedy Street in 2015 and most recently for the Starbucks at Bethard Square through the conditional use permit process.

Considering the overall drive-thru design and capacity, staff is in support of an approval for the requested digital menu board in conjunction with the request for a drive-thru lane. Placement location and size of the digital menu board will be required to adhere to the City's sign ordinance.

Noting the future desire for extended hours of operation, the applicant is requesting the allowance for all three drive-thru uses be permitted to operate 24-hours a day, seven days a week. None of the drive-thru lanes abut residential development, allowing staff to conclude that the operation of a 24-hour drive-thru will not adversely affect any of the surrounding uses. The following conditional uses will be allowed if approved as follows:

- CUP 2018-24: Pad 1, Drive-thru, 24-hours operation, digital preview menu board
- CUP 2018-26: Pad 3, Drive-thru, 24-hours operation
- CUP 2018-28: Pad 4, Drive-thru, 24-hours operation

Outdoor Patio Area Permits

The applicant is also proposing an outdoor patio area as a component of the quick-service business model for Pads 1, 3 and 4. All outdoor seating areas will need to comply with the requirements of the Americans with Disabilities Act. It is recommended that a decorative barrier surround each outdoor patio area to provide a safety buffer between the outdoor patio area, drive-thru lanes and other vehicular paths of travel. Staff recommends that the decorative barriers be either wooden planter boxes, decorative stone seat-walls, or three-foot wrought iron fencing, sufficient to clearly define the outdoor patio area. The allowable number of seats in the outdoor seating area will ultimately be determined by California Fire Code regulations upon submittal of an official site and floorplan in conjunction with submittals for a building permit plan check. In any case, approval of the total allowable number of outdoor seats for each pad's CUP is as follows:

- CUP 2018-25: Pad 1, maximum of 24 outdoor seats
- CUP 2018-27: Pad 3B maximum of 12 outdoor seats
- CUP 2018-29: Pad 4 maximum of 20 outdoor seats

As previously mentioned in the parking section, Pads 1, 3 and 4 will have a maximum number of permitted seating which will include both outdoor and indoor seating. Pad 1's quick-service coffee restaurant will be limited to a cumulative of 111 seats for both indoor and outdoor dining. Pad 3's quick-service restaurant will be limited to a cumulative of 93 seats for both indoor and outdoor dining. Pad 4's quick-service restaurant will be limited to a cumulative of 102 seats for both indoor and outdoor dining.

Other Department and Agency Comments

The project was reviewed by various City Departments and outside agencies. The responses and recommendations have been incorporated into the recommended conditions of approval included in this report.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Though approval of a commercial plaza with multiple drive-thru uses, a digital preview menu board and the establishment of outdoor seating areas are not specifically addressed in the vision or action plans, the overall project does indirectly support Action 115.2 – "As a component of the General Plan Update, increase retail outlets and promote Shop Madera …"

RECOMMENDATION

The information presented in this report supports a recommendation of approval for the site plan and conditional use permit applications. It is recommended that the Commission consider this information together with public testimony during the public hearing, and approve Conditional Use Permits 2018-24 through 29, and Site Plan Review 2018-39, subject to the findings and the recommended conditions of approval.

PLANNING COMMISSION ACTION

The Planning Commission will be acting on the request for Conditional Use Permit 2018-24 through 29, and Site Plan Review 2018-39, determining to either:

- approve the applications with or without conditions
- continue the hearing, or
- deny the applications

Any action by the Commission approving or denying the application is subject to an appeal to the City Council within 15 calendar days of the Commission's action.

Motion 1a: Move to adopt the mitigated negative declaration, consistent with Section 15070(b) of the California Environmental Quality Act (CEQA), with the following findings;

Findings

- An initial study and mitigated negative declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) that determines that there is no substantial evidence that the project will have a significant effect on the environment, and that the document reflects the independent judgement of the Planning Commission of the City of Madera after considering all of the information in the record before it, and is hereby adopted in accordance with CEQA.

- Mitigation measures are included as part of the conditions of approval of the project and a mitigation monitoring program is included as part of the environmental documentation.

(AND)

Motion 1b: Move to approve Conditional Use Permit 2018-24 through 29, and Site Plan Review 2018-39, based on and subject to the findings and conditions of approval as listed:

Findings

- An initial study and mitigated negative declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) that determines that there is no substantial evidence that the project will have a significant effect on the environment, and that the document reflects the independent judgement of the Planning Commission of the City of Madera after considering all of the information in the record before it, and is hereby adopted in accordance with CEQA.

- A drive-thru use with a digital preview menu board and an outdoor seating area in conjunction with an on-site dining establishment is consistent with the purpose and intent of the C (Commercial) General Plan land use designation and the C1 (Light Commercial) Zone District which provide for the uses, subject to the issuance of a conditional use permit.

- As conditioned, the development of five buildings encompassing approximately 26,000 square feet is consistent with the purpose and intent of the C (Commercial) General Plan land use designation and the C1 (Light Commercial) Zone District which provide for the development of commercial retail uses.

- As conditioned, the establishment, maintenance and/or operation of the uses will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed uses or be detrimental or injurious to the property and improvements in the neighbor or general welfare of the City.

CONDITIONS OF APPROVAL

General Conditions

1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by receipt in the Planning Department of the applicant's signature upon an Acknowledgement and Acceptance of Conditions within 30 days of the date of approval.

2. The applicant's failure to utilize any of the use permits within one year following the approval date shall render the conditional use permit null and void unless a written request for an extension has been submitted to the Planning Commission.

3. Conditional Use Permits (CUP) 2018-24 through 29 may be made null and void without any additional public hearing at any time upon benefactor(s) of the use permits and owner(s) of the property voluntarily submit to the City a written request to permanently extinguish the conditional use permit(s).

4. CUP 2018-24 through 29, and Site Plan Review (SPR) 2018-39 shall be subject to periodic reviews and inspection by the City to determine compliance with the conditions of approval and applicable codes. If at any time, the use is determined by staff to be in violation of the conditions, staff may schedule a public hearing before the Planning

Commission within 45 days of the violation to revoke the permits or modify the conditions of approval.

5. SPR 2018-39 shall expire one year from date of issuance unless positive action is taken on the project as provided in the Municipal Code or a request to extend the approval is received before the expiration date (Municipal Code Section 10-3.4.0114, Lapse of Site Plan Approval).

6. Any proposed future modifications to the site, including but not limited to, the building exteriors, parking/loading areas, fences/walls, new buildings or landscaping shall require an amendment to SPR 2018-39.

7. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specified in the conditions of approval listed herein or mandated by statutes.

8. It shall be the responsibility of the property owner to ensure that any required permits, inspections and approvals from any regulatory agency shall be obtained from the concerned agency prior to any building permit final issuance.

9. The project shall be developed in accordance with the conditions of approval listed herein and elevation drawings, as reviewed and approved with the site and floor plans. Minor modifications to the site plan to meet regulatory or engineering constraints may be made with the approval of the Planning Manager. All on- and off-site improvements shall be completed in advance of any request for building permit final inspection.

Building Department

10. A building permit is required for all improvements. The tenant spaces, drive-thru lanes, and outdoor seating areas shall meet the requirements of the California Building Code, California Fire Code, and Americans with Disabilities Act prior to occupancy.

11. Current State of California and Federal handicap requirements shall apply to the entire project site and all structures and parking herein. Compliance shall be checked at the permit stage and confirmed at final inspection.

Engineering Department

<u>General</u>

12. Nuisance on-site lighting shall be redirected as requested by the City Engineer within 48 hours of notification.

13. Impact fees shall be paid at the time of a building permit issuance.

14. The developer shall pay the required fees for completion of the project. Fees due may include but shall not be limited to the following: plan review, easement acceptance, encroachment permit processing and improvement inspection fees.

15. Improvement plans signed and sealed by an engineer shall be submitted to the Engineering Department in accordance with the submittal process.

16. In the event archeological resources are unearthed or discovered during any construction activities on-site, construction activities shall cease, and the Community Development Director or City Engineer shall be notified so that procedures required by state law can be implemented.

17. Improvements within the City right-of-way shall require an encroachment permit from the Engineering Department.

18. Improvements within the State of California right-of-way require an encroachment permit from Caltrans.

Sewer

19. Sewer service connection(s) shall be constructed to current City standards

20. Sewer main connections 6-inches and larger in diameter shall require a manhole installation.

21. Existing septic tanks, if found, shall be removed pursuant to issuance of a permit and inspection by the City's Building Department.

22. Existing sewer service connection(s) that will not be used for the project shall be abandoned at the main per current City standards.

23. The developer shall evaluate the impacts on the sewer system to which the project will be connected given the proposed restaurant uses and the review of City sewer maps that indicate suboptimal pipe sizes in the vicinity. If deficient, the developer shall present recommendations and implement them following City approval.

Streets

24. The extent of improvements along East Yosemite Avenue shall be determined by Caltrans as it is a State Highway.

25. Concrete sidewalk, curb and gutter shall be reconstructed in its ultimate location along the entire project parcel frontage on East Yosemite Avenue, Elm Street and Fig Street per current City standards.

26. Access ramps shall be constructed per current ADA standards.

27. Driveway approaches shall be constructed as street type entrances with a minimum curb radius of 15-feet and per current ADA standards. Throat lengths for driveways shall be sufficient in length as to eliminate the possibility of vehicular queuing into the City right-of-way.

28. Access to the site shall be limited to three drive approaches as shown on the site plan dated February 20, 2019.

29. A reciprocal ingress/egress and, utility, parking easement acceptable to the City of Madera across the entire project site and applicable to all parcels shall be recorded. The easements shall provide mutual right of access for all future uses on the project site. The developer shall pay associated fees with the Engineering Department.

30. An Irrevocable Offer of Dedication shall be made to dedicate sufficient right-of-way along the entirety of the parcel's frontage on Yosemite Avenue to provide a half street width of 50-feet, south of the center line, or as required by Caltrans.

31. A 10-foot wide Public Utility Easement shall be dedicated along the entirety of all parcel(s) frontages on East Yosemite Avenue, Elm Street and Fig Street.

32. The developer shall annex into and execute such required documents that may be required to participate in Landscape Maintenance District Zone 51 for the purpose of participating in the cost of maintaining landscape improvements within said zone.

33. All public utilities fronting the project parcel(s) on East Yosemite Avenue, Elm Street and Fig Street shall be undergrounded, except transformers, which may be mounted on pads.

34. "No parking" signs shall be installed along East Yosemite Avenue, Elm Street and Fig Street frontages per current City standards.

35. The developer shall install metered street lights along East Yosemite Avenue, Elm Street and Fig Street frontages in accordance with current City standards. Street lights shall be LED using Beta Lighting standards or equal in accordance with City standards.

36. The off-site improvements relative to traffic impacts shall be consistent with the recommendations of the traffic impact study and resulting Caltrans requirements in the attached document dated February 22, 2019, as well as any modifications to the requirements contained therein as part of the final traffic study approval.

<u>Storm Drain</u>

37. Storm runoff from this project site is planned to go to the Elm and Yosemite Basin located south of this project. Runoff volume calculations shall be provided, and the developer shall excavate basin to an amount equivalent to this project's impact on the basin. The developer shall construct the following master planned improvements:

a. A 30-inch storm drain main on Yosemite Avenue along the project site and on private property between Yosemite and the basin in accordance with that depicted in the Storm Drain Master Plan. The storm main shall be installed at the depth and slope necessary to serve the areas as delineated within the Storm Drainage System Master Plan. A 20-foot wide public utility easement shall be dedicated to the City for on-site access and maintenance.

38. The construction of these storm drain lines is considered 100% reimbursable, subject to availability of funds, under the City's Development Impact Fee Program.

39. The City of Madera Successor Agency (SA) is currently designing said system as part of a separate project. If the SA moves forward with the construction of the storm drain improvements prior to this project, the developer shall coordinate with the SA for the purposes of ensuring that appropriate easements are dedicated prior to any planned construction. If the project moves forward prior to the SA, the developer shall be responsible for the required on-site and off-site improvements associated with the development of the project.

40. This project shall comply with the design criteria as listed on the National Pollutant Elimination Systems (NPDES) General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer System (MS4's) as mandated by Water Quality Order No. 2013-0001-DWQ, NPDES General Permit NO. CAS0000004.

Water

41. Water Service connection(s) shall be constructed to current City standards including a water meter(s) installed within City right-of-way and backflow prevention device installed within private property.

42. A separate water meter and backflow prevention device shall be required for landscape areas.

43. Existing wells, if any, shall be abandoned as directed and permitted by the City for compliance with State standards.

44. Each parcel will be required to have a separate water service and backflow prevention device.

45. Existing water service connections that will not be used for the project shall be abandoned at the main per current City standards.

46. Prior to the issuance of an encroachment permit, the developer shall reimburse its fair share cost tot eh City for previously constructer water main along the project frontage on East Yosemite Avenue, Elm Street and Fig Street.

47. The water system shall be designed to meet the required fire flow for this type of development and shall be approved by the Fire Department and shall be operational prior

to any on-site construction. Fire flow shall be determined by the Uniform Fire Code appendix III-A. Copies of the water system analysis shall be reviewed and approved by the City's Engineering Department and the Fire Marshall.

Fire Department

48. Building permits are required for all development on the site.

49. A minimum of 1, 2A10BC rated fire extinguisher is required for each 3,000 square feet of building area. A minimum of one such fire extinguisher shall be provided for each suite.

50. A key box is required for each building.

51. On-site fire hydrants are required. A permit is required for the installation of the underground fire main system. The on-site fire hydrant system must be approved and operational prior to the delivery of lumber or other combustibles to the site.

52. Fire lanes shall be properly posted in conformance with the California Fire Code and California Building Code.

53. Interconnectivity between properties shall be provided or the properties shall be merged. It should be noted that if the properties are not merged, then there may be issue with building placement. All structures must comply with the California Building Code regarding the minimum setback requirements and exposure protection for exterior walls.

54. All structure shall be addressed in accordance with City's policies and posted so they are visible from the street fronting the property/providing access (Yosemite Avenue).

55. Fire sprinklers may be required if the subsequent proposed tenant occupancies exceed the thresholds established in the California Fire Code and California Building Code.

Planning Department

<u>General</u>

56. On-site vandalism and graffiti shall be corrected per the Madera Municipal Code.

57. The property owner, operator and/or manager shall operate in a manner that does not generate noise, odor, blight or vibration that adversely affects any adjacent properties.

58. The property owner, operator and/or manager shall keep the property clear of all trash, rubbish and debris at all times; and dumping of refuse shall be restricted to the dumpster and refuse containers assigned to the property.

59. The applicant shall comply with all federal, state and local laws. Material violations of any of those laws concerning the use will be cause for revocation of these permits.

Drive-Thru Use Permit 2018-24

60. CUP 2018-24 allows for the establishment of a 24-hour drive-thru use in association with the quick-service restaurant on building Pad 1, in conjunction with the utilization of digital signage as part of the drive-thru component of the Starbucks Coffee business model.

61. The drive-thru stacking lane shall be developed consistent with the approved site plan, designed to queue no less than ten vehicles.

62. Three-foot tall hedges shall be installed along the drive-thru lane to effectively screen issues of headlight glare into the public right-of-way to be reviewed and approved by the Planning Department. As an alternative, the applicant may propose construction of a three-foot tall decorative block fence, per the approval of the Planning Manager.

63. The drive-thru shall be allowed one preview board, one menu board and one digital ordering screen.

Drive-Thru Use Permit 2018-26

64. CUP 2018-26 allows for the establishment of a 24-hour drive-thru use in association with the quick-service restaurant on building Pad 3, tenant suite B.

65. The drive-thru stacking lane shall be developed consistent with the approved site plan, designed to queue no less than ten vehicles.

66. Three-foot tall hedges shall be installed along the drive-thru lane to effectively screen issues of headlight glare into the public right-of-way to be reviewed and approved by the Planning Department. As an alternative, the applicant may propose construction of a three-foot tall decorative block fence, per the approval of the Planning Manager.

Drive-Thru Use Permit 2018-28

67. CUP 2018-28 allows for the establishment of a 24-hour drive-thru use in association with the quick-service restaurant on building Pad 4.

68. The drive-thru stacking lane shall be developed consistent with the approved site plan, designed to queue no less than ten vehicles.

69. Three-foot tall hedges shall be installed along the drive-thru lane to effectively screen issues of headlight glare into the public right-of-way to be reviewed and approved by the Planning Department. As an alternative, the applicant may propose construction of a three-foot tall decorative block fence, per the approval of the Planning Manager.

Outdoor Patio Use Permit 2018-25

70. CUP 2018-25 allows for the establishment of an outdoor patio area for building Pad 1 with seating for no more than twenty-four persons or as determined by California Fire Code, whichever is less. The total allowable number of seats (indoor and outdoor combined) for Starbucks Coffee shall not exceed 111 seats.

71. Outdoor seating shall only occur on the designated outdoor patio area, consistent with the approved site plan.

72. A decorative barrier shall be placed around the outdoor patio area. The decorative barriers can either be wooden planter boxes, decorative stone seat-walls, or a three-foot wrought iron fence, to be reviewed and approved by the Planning Department. In no case, shall the barriers impede any ADA paths of travel.

73. The outdoor seating activities shall be permitted to occur during the shopping center's regular business hours.

Outdoor Patio Use Permit 2018-27

74. CUP 2018-27 allows for the establishment of an outdoor patio area for building Pad 3, tenant suite B, with seating for no more than twelve persons or as determined by California Fire Code, whichever is less. The total allowable number of seats (indoor and outdoor combined) for the quick-service restaurant shall not exceed 93 seats.

75. Outdoor seating shall only occur on the designated outdoor patio area, consistent with the approved site plan.

76. A decorative barrier shall be placed around the outdoor patio area. The decorative barriers can either be wooden planter boxes, decorative stone seat-walls, or a three-foot wrought iron fence, to be reviewed and approved by the Planning Department. In no case, shall the barriers impede any ADA paths of travel.

77. The outdoor seating activities shall be permitted to occur during the shopping center's regular business hours.

Outdoor Patio Use Permit 2018-29

78. CUP 2018-29 allows for the establishment of an outdoor patio area for building Pad 4 with seating for no more than twenty persons or as determined by California Fire Code, whichever is less. The total allowable number of seats (indoor and outdoor combined) for the quick-service restaurant shall not exceed 102 seats.

79. Outdoor seating shall only occur on the designated outdoor patio area, consistent with the approved site plan.

80. A decorative barrier shall be placed around the outdoor patio area. The decorative barriers can either be wooden planter boxes, decorative stone seat-walls, or a three-foot wrought iron fence, to be reviewed and approved by the Planning Department. In no case, shall the barriers impede any ADA paths of travel.

81. The outdoor seating activities shall be permitted to occur during the shopping center's regular business hours.

Site Plan Review

82. SPR 2018-39 allows for the construction of five commercial building encompassing approximately 26,000 square feet, approved consistent with the colors and materials board and representative color section rendering of the proposed building as reviewed and approved by the Planning Commission. Any alterations to the site plan or building shall require Planning Commission approval.

83. The project shall be permitted to be developed in two phases as proposed within the phasing site plan. Construction of Phasing Two shall commence no later than twelve months from final occupancy of Phasing One. Extensions may be available per the Zoning Ordinance. Planning Commission approval may be required.

Fences and Walls

84. One double-bin trash enclosure consistent with City standards shall be constructed per building pad. Trash enclosures shall be constructed to match their respective primary structure's colors and materials, as reviewed and approved by the Planning Department. The location of the trash enclosure shall be consistent with the approved site plan.

85. A six-foot split-faced decorative masonry block wall shall be constructed along the project site's rear property lines that are shared with residential uses as means of providing screening from light glare and to lower noise attenuation. The decorative masonry block wall shall be review and approved by the Planning Department prior to issuance of a building permit.

Building Colors, Materials and Lighting

86. The construction of the building approved as part of SPR 2018-39 shall be consistent with the colors and materials board to be reviewed and approved by the Planning Department.

Parking Site Data

87. All parking and loading areas shall be marked, striped and permanently maintained at all times in conformance with City standards. With the new development on the site, available parking for the shopping center is as follows:

	Stalls Required	Ratio	Stalls Provided
• Pad 1	37	1 stall per 3 seats	37
• Pad 2	11	1 stall x 300 sq. ft.	38
• Pad 3 A	19	1 stall x 300 sq. ft.	19
• Pad 3 B	31	1 stall per 3 seats	25
• Pad 4	34	1 stall per 3 seats	28
• Pad 5	40	1 stall x 250 sq. ft.	38
• Total	172	-	185

Further expansion of uses or additional or accessory uses may require the provision of additional parking spaces in compliance with City standards prior to the establishment of a new use.

88. Revised site plans submitted for a plan check permit shall incorporate bicycle parking facilities to be provided for patrons and employees to be approved by the Planning Department, as to number and location.

HVAC & PG&E Utility Placement Considerations/Screening Requirements

89. Prior to the issuance of building permits, the applicant shall identify the following information on the site plan for Planning Department review and approval:
    - The location of all natural gas and electrical utility meter locations.
    - The location of all HVAC (heating, ventilation or air conditioning) equipment.
    - The location of all compressor equipment, and mechanical and electrical equipment.

90. All electrical and HVAC equipment shall be screened to the specifications of the Planning Department.

91. Electrical/mechanical equipment shall be located in the interior of the proposed new structures within an electrical/mechanical service room(s).

92. All HVAC equipment shall be roof-mounted and completely screened from view and architecturally integrated into the roof using roof wells or continuous building perimeter fascia screening.

93. Natural gas meter placement shall be screened from public view per Planning Department approval.

94. Roof access ladders, if proposed, shall be located within the interior of the building.

95. Future placement of roof-mounted equipment, which is not part of this site plan approval, may require an amendment to this Site Plan Review.

96. All ducts and vents penetrating roofs shall be directed away from the front of public entrance side(s) of the building using methods to minimize their appearance and visibility from the street. Placements are preferred at rear sides of roof ridges. All roof-mounted ducts and vents are to be painted matte black or with a color better suited to minimize their appearance.

97. Fire sprinkler risers shall be located within the interior of the building or located out of public view. Locations shall be approved by the Planning Department prior to the issuance of building permits.

Landscaping

98. A detailed landscaping and irrigation plan shall be prepared by a licensed landscape architect consistent the California Model Water Efficient Landscape Ordinance,

stamped and submitted as part of the submittals for a building permit plan check. Landscaping and irrigation plans shall be approved by the Planning Department prior to issuance of building permit.

99. The property owner and/or manager shall maintain all landscaping in a healthy and well-manicured appearance. This includes, but not limited to; ensuring irrigation equipment is properly operating at all times, trimming and pruning trees and shrubs and replacing dead or unhealthy vegetation with drought-tolerant plantings.

Signage

100. All on-building signage shall be of pan channel letter quality or better and in compliance with the Madera Municipal Code MMC §10-6.

101. Drive-thrus not previously specified shall be allowed one preview board and menu board. The preview board and menu board shall be separated by no less than 25-feet, consistent with the sign regulations.

102. No permanent or temporary signage shall be placed within the outdoor seating area or affixed onto any outdoor seating area furniture, fencing and/or protective barriers.

Air Quality Measurement Requirements

103. The applicant/developer shall comply with all rules and regulations set forth by the San Joaquin Valley Air Pollution Control District as stated in the attached letter. To identify the District's rules and regulations that apply to the project or obtain information about the District's permits requirements, the applicant/developer is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888.

(OR)

Motion 2: Move to continue the applications for Conditional Use Permits 2018-24 through 29, and Site Plan Review 2018-39 to the June 11, 2019, Planning Commission hearing, based on and subject to the following (specify):

(OR)

Motion 3: Move to deny the application for Conditional Use Permits 2018-24 through 29, and Site Plan Review 2018-39 based on the following findings: (specify)

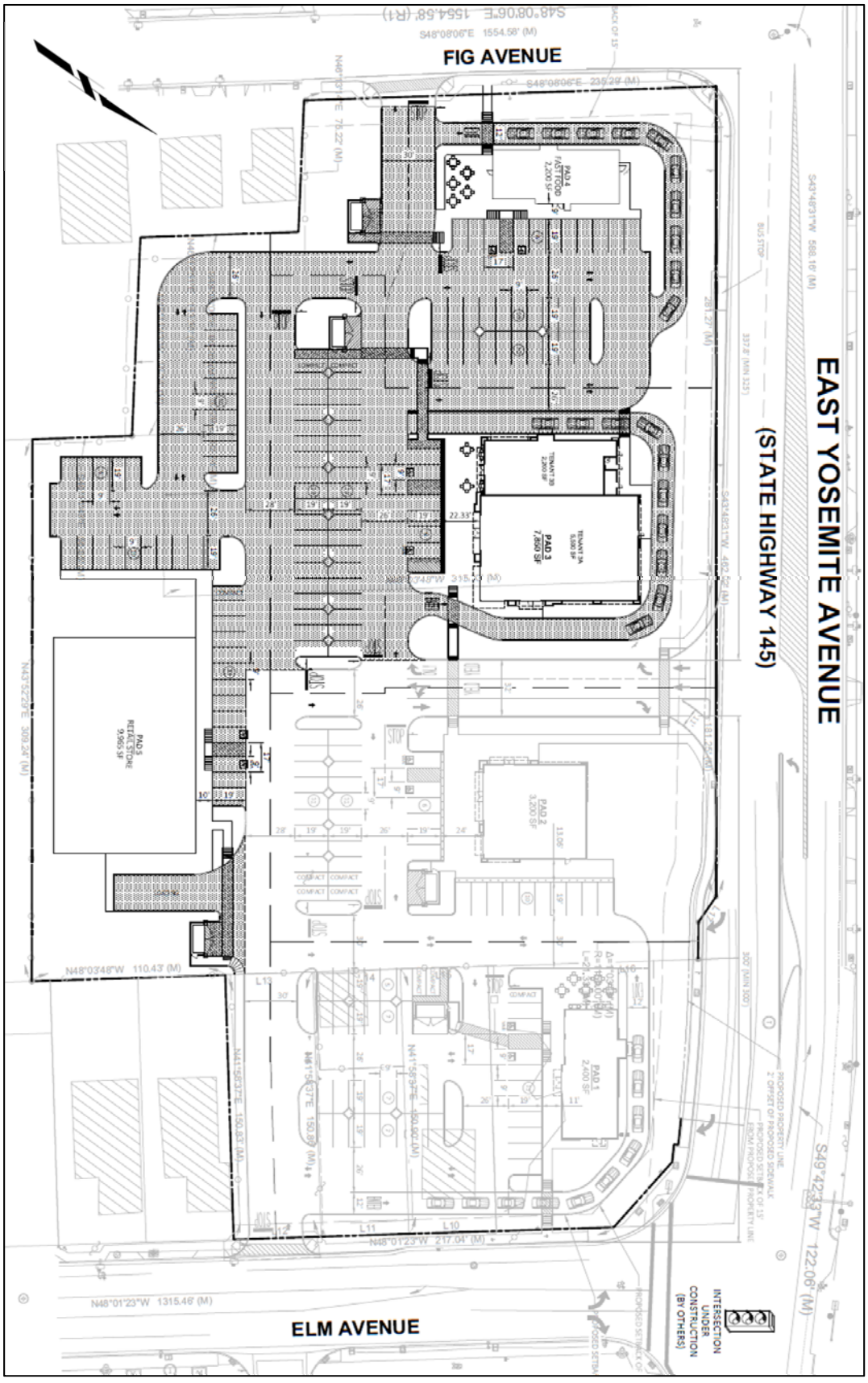
ATTACHMENTS

Attachment 1: Aerial Map
Attachment 2: Site Plan
Attachment 2B: Phased Site Plan
Attachment 3 Building Elevations
Attachment 4: Caltrans Letter
Attachment 5: San Joaquin Valley Air Pollution Control
Attachment 6: Environmental Initial Study

Attachment 1: Aerial Map

Attachment 2: Site Plan

Attachment 2B: Phased Site Plan



Phase I SEC, Phase II SWC (in grey shading)

Attachment 4: Caltrans Letter

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY Gavin Newsom, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 6
1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 444-2493
FAX (559) 445-5875
TTY 711
www.dot.ca.gov

Making Conservation a California Way of Life.

February 22, 2019

06-MAD-145-10.675
Downtown Yosemite Commercial Project
Traffic Impact Study

SENT VIAL EMAIL

Mr. Jesus Orozco, Assistant Planner
City of Madera
Planning Department
205 West 4th Street
Madera, CA 93637

Dear Mr. Orozco:

Thank you for including Caltrans in the environmental review process for the project referenced above. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

We provide these comments consistent with the State's smart mobility goals that support a vibrant economy and build communities. The following comments are based on a traffic impact study (TIS) for the proposed commercial project. We provided preliminary comments on September 24, 2018 on the proposed commercial project site plan. Those comments still apply. The project is located on the southwest corner of the intersection of State Route (SR) 145 and Elm Avenue. The Project proposes to construct 18,665 square feet of retail, 4,400 square feet of fast food restaurants, and a 2,400 square-foot quick serve coffee restaurant. There is a total of three proposed driveways on SR 145, Elm Street, and Fig Street. Caltrans has the following comments:

1. The study showed there would be Project trips making a westbound left-turn to the Project driveway on SR 145 in all study scenarios. The westbound left-turn pocket to the driveway will not be permitted. The proposed driveway on SR 145 will be allowed for right-in/right-out only.
2. Prior to opening day, a raised median on SR 145 between Elm and Fig Streets should be constructed. In addition, an eastbound U-turn on SR 145 at Elm Street should be constructed.
3. Prior to opening day, the Project will be required to construct a westbound left-turn lane including transition taper on SR 145 to Fig Street.
4. Prior to opening day, the existing eastbound right-turn lane on SR 145 to Elm Street should be reconstructed to a minimum of 200 feet plus bay taper. The proposed driveway on SR 145 should be moved outside of the eastbound right-turn lane.
5. Frontage improvement such as sidewalk and curb ramps along the Project frontage on SR 145 should be constructed. The existing curb, curb return and signal pole at the southwest corner of SR 145/Elm Street should be relocated to the ultimate location.
6. SR 145 between Fig and Tozer Streets is planned for a four-lane conventional highway per the current Caltrans SR 145 Transportation Concept Report.

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

7. The typical cross-section for SR 145 within the Project proximity is planned for 110 feet, 55 feet from the highway centerline. At the intersection, the cross section is planned for 64 feet from the highway centerline to accommodate the right-turn lane. The existing right of way on SR 145 along the Project frontage ranges from 60 to 80 feet. Additional right of way dedication on SR 145 along the Project frontage will be necessary to accommodate the planned cross section. Street improvement plans for SR 145 should be prepared to determine the appropriate right of way.
8. Per Table 4-2 of the TIS, the mitigated road segments of SR 145 between Fig Street and Tozer Street were shown as a two-lane divided highway. However, the Synchro analysis for the mitigated traffic conditions showed one lane for eastbound SR 145 between the studied intersections. Two through-lanes at SR 145 intersections approaches should be shown.
9. The ultimate intersection configuration on SR 145 at Elm and Fig Streets should be two through-lanes on both approaches, one westbound left-turn, one eastbound right-turn lane, and one left-turn and one right-turn lane on Elm Street.
10. The ultimate intersection configuration for SR 145 and Tozer Street should have dual left-turn lanes, two through-lanes, and one right-turn lane on all approaches to form a symmetrical intersection.
11. The need for four-lanes on SR 145 and the intersection improvements may be needed sooner than it was projected in the study if the area continues to grow.
12. All street improvements on SR 145 should be constructed per current Caltrans standards.
13. The latest traffic signal plan (pole relocation) for SR 145 and Elm Street submitted by the City of Madera should be used as a reference for the street improvement plan. The angle point on SR 145 should be eliminated.
14. Florida Tables were used to analyze the segment level of service on SR 145. The current HCS methodology for road segment analysis should be used.
15. Synchro analysis:
    a. The minimum initials are typically set to six seconds for left-turn, eight seconds for minor streets, and 10 seconds for major streets.
    b. The yellow times should be set to 4.4 seconds based on a speed of 40 mph on SR 145 per the current CaMUTCD.
    c. The "Flash Don't Walk" should be calculated based on the pedestrian crossing distance divided by 3.5 feet/second.
    d. The intersection of SR 145/Tozer Street for the mitigated 2040 plus Project scenarios are over capacity. The approach level of service for the eastbound, westbound, and southbound approaches would operate at LOS "F". Excessive queuing at these approaches would occur.
    e. The northbound approach at Fig Street to SR 145 for the mitigated 2040 plus Project would operate at LOS "F".
16. Based on Table 4-4, *Equitable Fair-Share Responsibility*, the Project proponent should be responsible for its fair share towards SR 145/Cleveland Avenue-Tozer Street intersection and SR 145 between Fig Street and Cleveland Avenue-Tozer Street road segment. The Project proponent should provide a cost estimate based on the improvements needed as presented in the Cumulative year 2040 scenarios.
17. Please revise the TIS based on the comments listed above. Additional comments may be added during the encroachment permit process.

If you have any further questions, please contact me at (559) 444-2493.

Sincerely,

DAVID PADILLA
Associate Transporation Planner
Division of Transportation Planning

c: Michael Navarro, Chief, Planning North Branch, Caltrans

Attachment 5: San Joaquin Valley Air Pollution Control

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING

MAR – 8 2019

Jesus Orozco
City of Madera
Planning Division
205 W. Fourth Street
Madera, CA 93637

Project: CUP 2018-24 through 29 & SPR 2018-39 – Yosemite Commercial Plaza

District CEQA Reference No: 20190189

Dear Mr. Orozco:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of a commercial development of five pad buildings encompassing approximately 25,465 square feet (Project), located at East of Yosemite Avenue between Elm Street and Fig Street, in Madera, CA. The District offers the following comments:

1. Based on information provided to the District, Project specific annual emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5). Therefore, the District concludes that the Project would have a less than significant impact on air quality when compared to the above-listed annual criteria pollutant emissions significance thresholds.

2. District Rule 9510 (Indirect Source Review) is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site fees. The proposed Project is subject to District Rule 9510 (Indirect Source Review) if (1) it has or will receive a project-level discretionary approval from a public agency and will equal or exceed 2,000 square feet of commercial space, or (2) if it has or will receive a project-level approval from a public agency and will equal or exceed 10,000 square feet of commercial space. If subject to the rule, an Air Impact Assessment (AIA) application is required prior to applying for project-level approval from a public

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

www.valleyair.org www.healthyairliving.com

agency. In this case, if not already done, please immediately submit an AIA application to the District to comply with District Rule 9510.

In the case the Project is subject to District Rule 9510 an AIA application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval. Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm. The AIA application form can be found online at: http://www.valleyair.org/ISR/ISRFormsAndApplications.htm.

3. Particulate Matter 2.5 microns or less in size (PM2.5) from under-fired charbroilers pose immediate health risk. Since the cooking of meat can release carcinogenic PM2.5 species like polycyclic aromatic hydrocarbons, controlling emissions from under-fired charbroilers will have a substantial positive impact on public health.

   Charbroiling emissions occur in populated areas, near schools and residential neighborhoods, resulting in high exposure levels for sensitive Valley residents. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises environmental concerns.

   Furthermore, the latest photochemical modeling indicates that reducing commercial charbroiling emissions is critical to achieving attainment of multiple federal PM2.5 standards and associated health benefits in the Valley.

   Therefore, the District strongly recommends new restaurants that will operate under-fired charbroilers install emission control systems during the construction phase since installing charbroiler emissions control systems during construction of new facilities is likely to result in substantial economic benefit compared to costly retrofitting. To ease the financial burden for Valley businesses that wish to install control equipment before it is required by District Rule 4692 (Commercial Charbroiling), the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system for up to two years. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information.

4. The proposed Project may be subject to District Rule 9410 (Employer Based Trip Reduction) if the Project would result in employment of 100 or more "eligible" employees. District Rule 9410 requires employers with 100 or more "eligible" employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan,

employers have the flexibility to select the options that work best for their worksites and their employees. Information about how District Rule 9410 can be found online at: www.valleyair.org/tripreduction.htm. For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at etrip@valleyair.org

5. The proposed Project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

6. The District recommends that a copy of the District's comments be provided to the Project proponent.

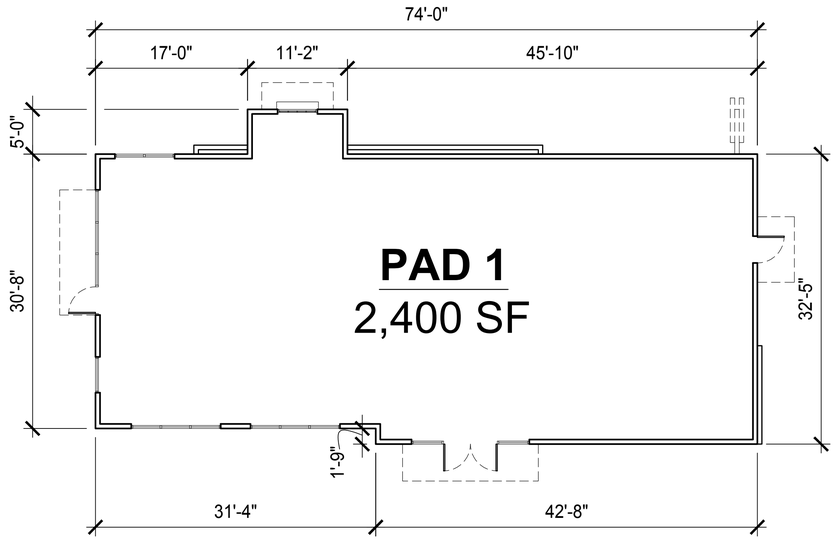
If you have any questions or require further information, please call Sharla Yang at (559) 230-5934.

Sincerely,

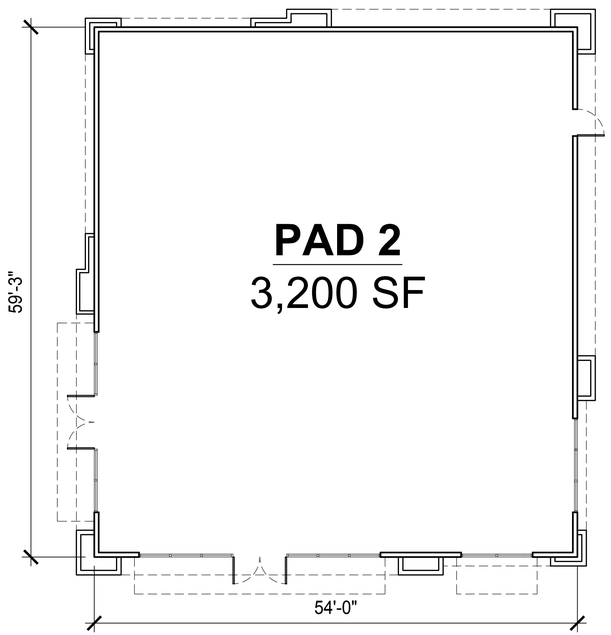
Arnaud Marjollet
Director of Permit Services

for Brian Clements
Program Manager

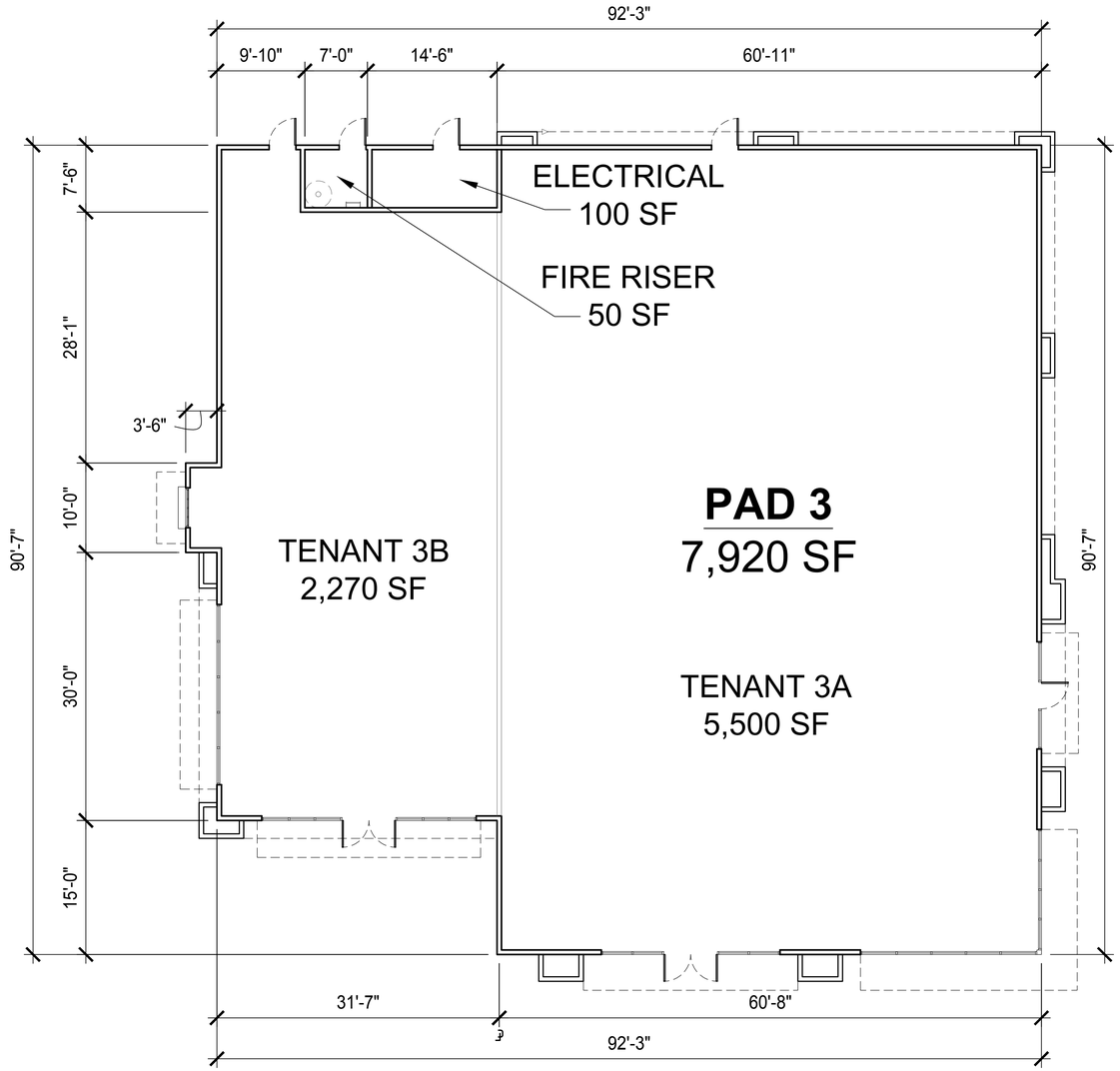
AM: sy



PAD 1 FLOOR PLAN



PAD 2 FLOOR PLAN



PAD 3 FLOOR PLAN

PROJECT

YOSEMITE & ELM RETAIL CENTER

EAST YOSEMITE AVENUE AND ELM STREET
MADERA, CA 93639

CLIENT

ARMSTRONG DEVELOPMENT PROPERTIES, INC.
2400 Del Paso Road, Sacramento, CA 95834
(916) 643-9610
www.armstrongdev.com

SCALE 1/8"= 1'-0"

NORTH

4' 0' 8' 16' 24'

SHEET TITLE

FLOOR PLANS

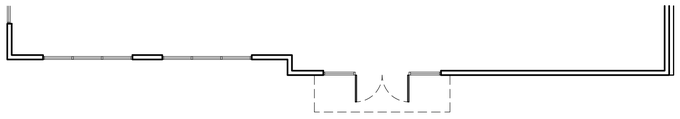
coact DESIGNWORKS
coactdesignworks.com
801 T STREET
SACRAMENTO, CA 95811
916.930.5900
414 JACKSON STREET, SUITE 404
SAN FRANCISCO, CA 95411
415.426.7052

PROJECT NO.	SHEET NO.
05265.00	A1
DRAWN BY: JP / CHECKED BY: MM	
ISSUE DATE: DECEMBER 17, 2018	

MATERIAL AND COLOR SCHEDULE		
MATERIAL	MANUFACTURER	COLOR/STYLE
1 PAINT - CEMENT PLASTER, HM DOORS	SHERWIN WILLIAMS	SW 6256 SERIOUS GRAY
2 PAINT - CEMENT PLASTER	SHERWIN WILLIAMS	SW 7672 KNITTING NEEDLES
3 PAINT - CEMENT PLASTER	SHERWIN WILLIAMS	SW 7748 GREEN EARTH
4 PAINT - CEMENT PLASTER	SHERWIN WILLIAMS	SW 6026 RIVER ROUGE
5 PAINT - CEMENT PLASTER, METAL CANOPIES AND SUPPORTS, TRIM	SHERWIN WILLIAMS	SW 6991 BLACK MAGIC
6 PAINT - CEMENT PLASTER	SHERWIN WILLIAMS	SW 9185 MAREA BAJA
7 METAL ROOFING	AEP SPAN	COOL REGAL BLUE
8 MANUFACTURED STONE VENEER	ELDORADO STONE	LEDGECUT 33 "BIRCH"
9 MANUFACTURED STONE VENEER	ELDORADO STONE	LEDGECUT 33 "BEACH PEBBLE"
10 STONE WAINSCOT SILL	ELDORADO STONE	SPLIT-EDGE "WHITE CLOUD"
11 STOREFRONT	TBD	CLEAR ANODIZED

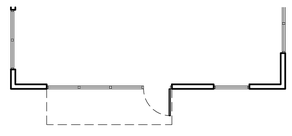
*NOTE: SIGNAGE NOT A PART OF THIS APPLICATION

SOUTHEAST ELEVATION

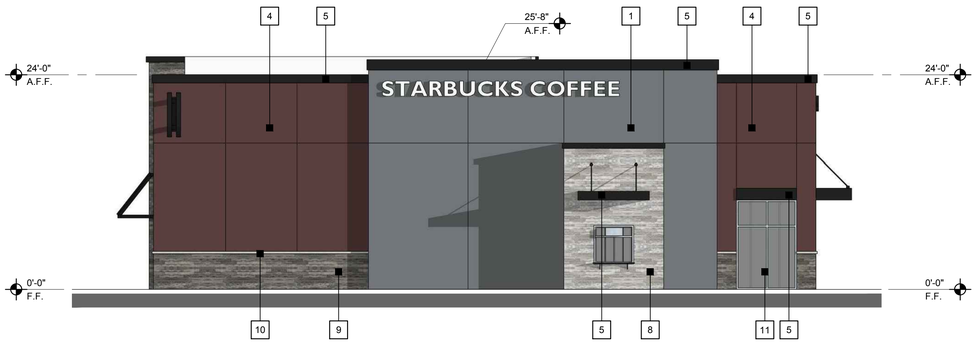


PARTIAL CANOPY PLAN

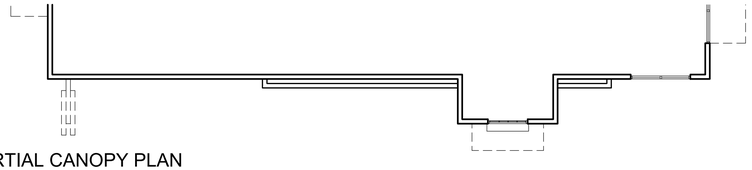
SOUTHWEST ELEVATION



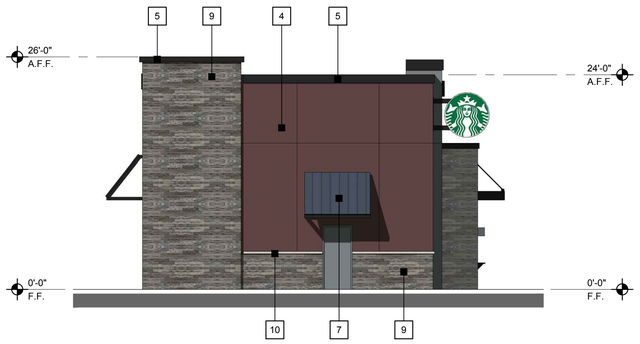
PARTIAL CANOPY PLAN



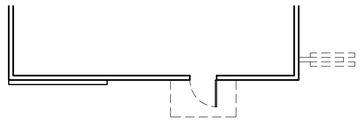
NORTHWEST ELEVATION



PARTIAL CANOPY PLAN



NORTHEAST ELEVATION



PARTIAL CANOPY PLAN

PROJECT

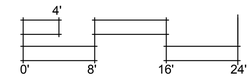
YOSEMITE & ELM RETAIL CENTER

EAST YOSEMITE AVENUE AND ELM STREET
MADERA, CA 93639

CLIENT

ARMSTRONG DEVELOPMENT PROPERTIES, INC.
2400 Del Paso Road, Sacramento, CA 95834
(916) 643-9610
www.armstrongdev.com

SCALE 1/8"= 1'-0"

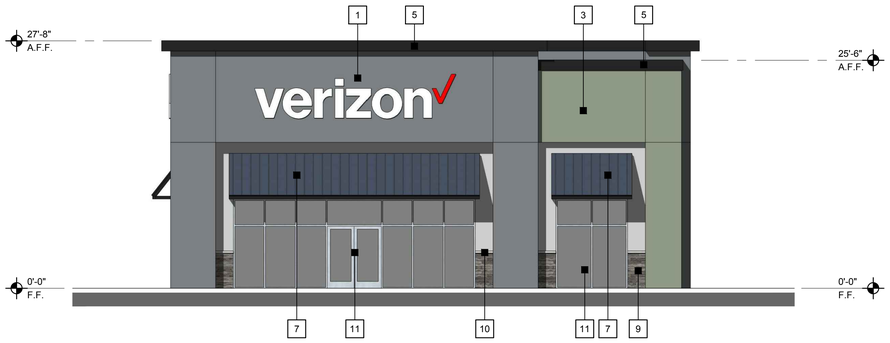


SHEET TITLE

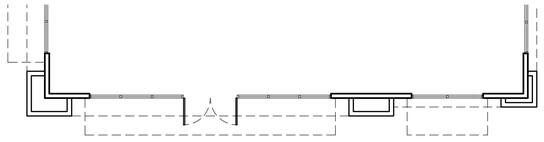
PAD 1 ELEVATIONS

coact DESIGNWORKS
coactdesignworks.com
801 T STREET
SACRAMENTO, CA 95811
916.930.5900
414 JACKSON STREET, SUITE 404
SAN FRANCISCO, CA 95411
415.426.7052

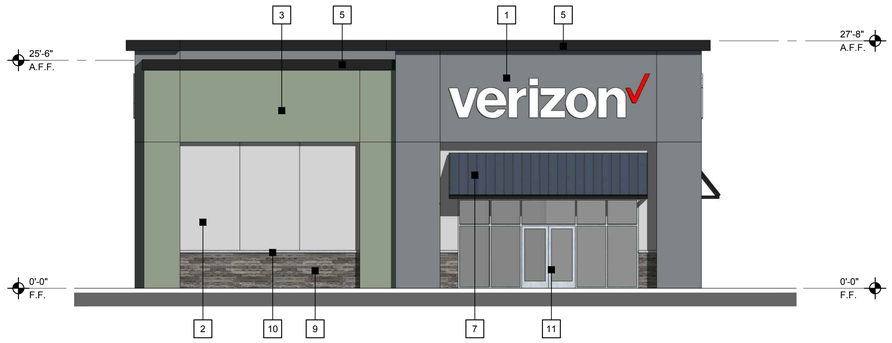
PROJECT NO. 05265.00
DRAWN BY JP
CHECKED BY MM
ISSUE DATE DECEMBER 17, 2018
SHEET NO. A2



SOUTHEAST ELEVATION



PARTIAL CANOPY PLAN



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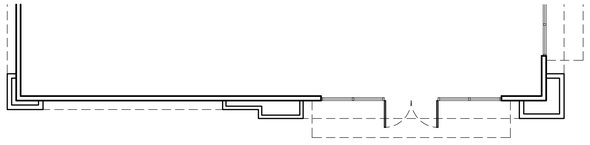

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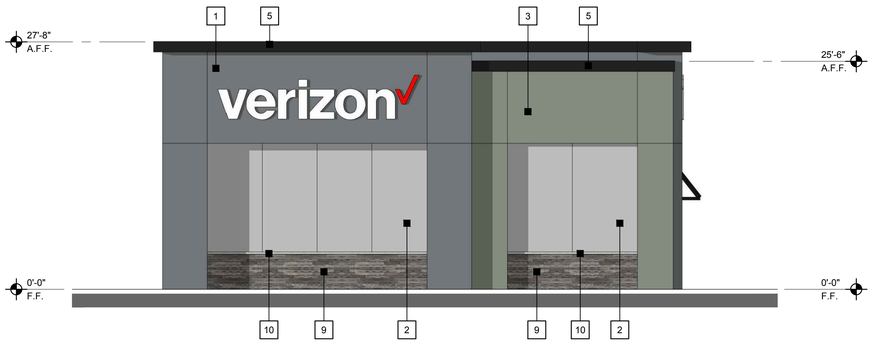

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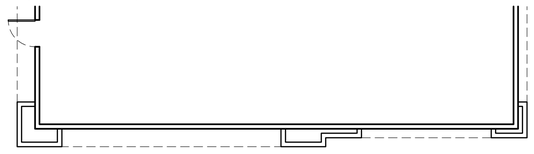
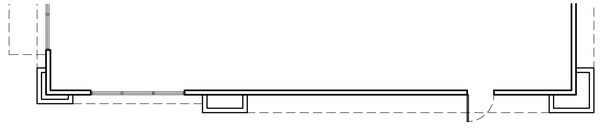


PARTIAL CANOPY PLAN

NORTHEAST ELEVATION



PARTIAL CANOPY PLAN

MATERIAL AND COLOR SCHEDULE			
	MATERIAL	MANUFACTURER	COLOR/STYLE
1	PAINT - CEMENT PLASTER, HM DOORS	SHERWIN WILLIAMS	SW 6256 SERIOUS GRAY
2	PAINT - CEMENT PLASTER	SHERWIN WILLIAMS	SW 7672 KNITTING NEEDLES
3	PAINT - CEMENT PLASTER	SHERWIN WILLIAMS	SW 7748 GREEN EARTH
4	PAINT - CEMENT PLASTER	SHERWIN WILLIAMS	SW 6026 RIVER ROUGE
5	PAINT - CEMENT PLASTER, METAL CANOPIES AND SUPPORTS, TRIM	SHERWIN WILLIAMS	SW 6991 BLACK MAGIC
6	PAINT - CEMENT PLASTER	SHERWIN WILLIAMS	SW 9185 MAREA BAJA
7	METAL ROOFING	AEP SPAN	COOL REGAL BLUE
8	MANUFACTURED STONE VENEER	ELDORADO STONE	LEDGECUT 33 "BIRCH"
9	MANUFACTURED STONE VENEER	ELDORADO STONE	LEDGECUT 33 "BEACH PEBBLE"
10	STONE WAINSCOT SILL	ELDORADO STONE	SPLIT-EDGE "WHITE CLOUD"
11	STOREFRONT	TBD	CLEAR ANODIZED

*NOTE: SIGNAGE NOT A PART OF THIS APPLICATION

PROJECT

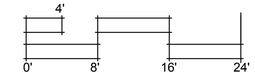
YOSEMITE & ELM RETAIL CENTER

EAST YOSEMITE AVENUE AND ELM STREET
MADERA, CA 93639

CLIENT

ARMSTRONG DEVELOPMENT PROPERTIES, INC.
2400 Del Paso Road, Sacramento, CA 95834
(916) 643-9610
www.armstrongdev.com

SCALE 1/8"= 1'-0"



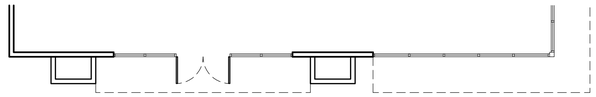
SHEET TITLE

PAD 2 ELEVATIONS

coact DESIGNWORKS
coactdesignworks.com
801 T STREET
SACRAMENTO, CA 95811
916.930.5900
414 JACKSON STREET, SUITE 404
SAN FRANCISCO, CA 95411
415.426.7052

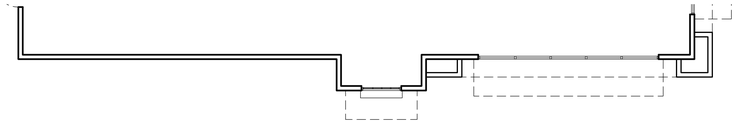
PROJECT NO. 05265.00	SHEET NO. A3
DRAWN BY JP / CHECKED BY MM	
ISSUE DATE DECEMBER 17, 2018	

SOUTHEAST ELEVATION

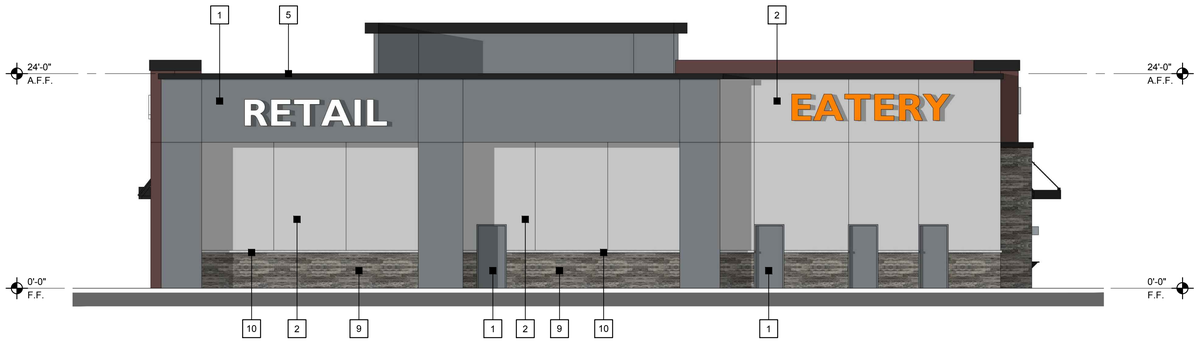


PARTIAL CANOPY PLAN

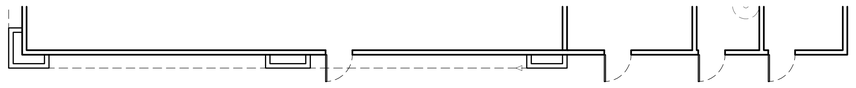
SOUTHWEST ELEVATION



PARTIAL CANOPY PLAN

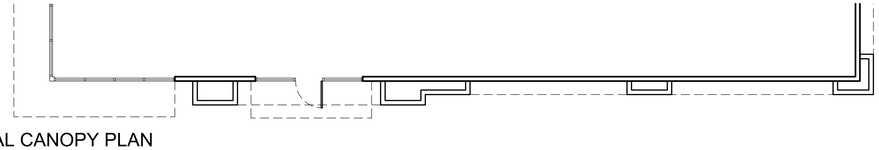


NORTHWEST ELEVATION



PARTIAL CANOPY PLAN

NORTHEAST ELEVATION



PARTIAL CANOPY PLAN

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EAST YOSEMITE AVENUE AND ELM STREET
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CLIENT

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2400 Del Paso Road, Sacramento, CA 95834
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www.armstrongdev.com

SCALE 1/8"= 1'-0"

4' 0' 8' 16' 24'

SHEET TITLE

PAD 3 ELEVATIONS

coact DESIGNWORKS
coactdesignworks.com
801 T STREET
SACRAMENTO, CA 95811
916.930.5900
414 JACKSON STREET, SUITE 404
SAN FRANCISCO, CA 95411
415.426.7052

PROJECT NO.	SHEET NO.
05265.00	A4
DRAWN BY: JP / CHECKED BY: MM	
ISSUE DATE: DECEMBER 17, 2018	

AERIAL PERSPECTIVE

ARMSTRONG DEVELOPMENT PROPERTIES, INC.

YOSEMITE & ELM RETAIL

MADERA, CALIFORNIA **DECEMBER 17, 2018**

coact DESIGNWORKS

#05265.00

AERIAL PERSPECTIVE

ARMSTRONG DEVELOPMENT PROPERTIES, INC.

YOSEMITE & ELM RETAIL

MADERA, CALIFORNIA **DECEMBER 17, 2018**

coact DESIGNWORKS

#05265.00

Material and Color Board

1 SW 6256
SERIOUS GRAY

2 SW 7672
KNITTING NEEDLES

3 SW 7748
GREEN EARTH

4 SW 6026
RIVER ROUGE

5 SW 6991
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7 AEP SPAN
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8 ELDORADO LEDGECUT 33
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BEACH PEBBLE

10 ELDORADO SPLIT-EDGE WAINSCOT
WHITE CLOUD

ARMSTRONG DEVELOPMENT PROPERTIES, INC.

YOSEMITE & ELM RETAIL

MADERA, CALIFORNIA **DECEMBER 17, 2018**

coact DESIGNWORKS

#05265.00

INITIAL STUDY AND ENVIRONMENTAL ASSESSMENT

Yosemite Commercial Plaza
Conditional Use Permit 2018-24 through 29
Site Plan Review 2018-39

This environmental assessment has been prepared to evaluate the impacts of the proposed project as required by the California Environmental Quality Act (CEQA). CEQA requires that public agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on those projects (Public Resources Code [PRC] 21000 et seq.). For this project, the City is the lead agency under CEQA because it has the primary responsibility for approving and implementing the project, and therefore the principal responsibility for ensuring CEQA compliance.

Project: Conditional Use Permit 2018-24 through 29
Site Plan Review 2018-39

Applicant: Armstrong Development Properties Inc.

Owner: Latif Muhammad ETAL

Location: The project site encompasses approximately 5.00 acres of land. The project site is proposed on multiple parcels located on the southwest corner of the intersection at East Yosemite Avenue (California State Route 145) and Elm Street.

Proposal: An application for six conditional use permits to allow for three drive-thru uses and three outdoor patio areas benefiting three restaurant businesses. An application for a site plan review accompanies the conditional use permits which will guide the development of five building pads encompassing approximately 26,000 square feet cumulatively. The project is proposed to be developed in two phases. Phase one will include the development of Pad 1 and 2 and the associated drive-thru use and an outdoor patio area. Phases two will include the development of Pad's 3, 4 and 5 and the associated two drive-thru uses and two outdoor patio areas.

Pad 1 is proposed to be developed as a 2,400 square foot quick service coffee restaurant with a drive-thru stacking lane with queuing for no less than ten cars and an outdoor patio area with seating for no more than twenty-four persons. The quick service coffee restaurant will be limited to a cumulative 111 seats for both inside and outside dinning. Pad 2 is proposed to be developed as a 3,200 square foot retail phone store. Pad 3 is proposed to be developed with two tenant suites. Tenant A is proposed to be utilized as a 5,500 square foot retail suite. Tenant B is proposed to be utilized as a 2,200 square foot quick service restaurant with a drive-thru stacking lane with queuing for no less than ten cars and an outdoor patio area with seating for no more than twelve persons. The quick service restaurant will be limited to a cumulative 93 seats for both inside and outside dinning. Pad 4 is proposed to be developed as a 2,200 square foot quick service restaurant with a drive-thru stacking lane with queuing for no less than ten cars and an outdoor patio area with seating for no more than twenty persons. The quick service restaurant will be limited to a cumulative 102 seats for both inside and outside dinning. Pad 5 is proposed to be developed as 9,965 square foot retail building. The site would be required to construct a masonry block wall wherein the project site's property lines are shared with residential uses, to provide screening from light glare and noise attenuation. The project also proposes site improvements and other site appurtenances including parking and drive aisles, loading docks, landscaping, and walls and fences.

Zone District: C1 (Light Commercial)

General Plan Land Use Designation: C (Commercial)

Surrounding Land Uses and Zoning:

South – City Storm Draining Ponding Basin
North – Commercial Development and Single Family Residential
East – Commercial Development and Single Family Residential
West – Single Family Residential

Responsible and Interested Agencies:

California Department of Transportation (CalTrans)
San Joaquin Valley Air Pollution Control District (SJVAPCD)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. None of these factors represents a “Potentially Significant Impact” as indicated by the checklist on the following pages

☒Aesthetics	☐Agriculture Resources	☒Air Quality
☒Biological Resources	☐Cultural Resources	☐Geology /Soils
☒Hazards & Hazardous Mat.	☒Hydrology / Water Quality	☐Land Use / Planning
☐Mineral Resources	☒Noise	☒Population / Housing
☒Public Services	☐Recreation	☒Transportation/Traffic
☒Utilities / Service Systems	☒Greenhouse Gas Emissions	☐Mandatory Findings

DETERMINATION:

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature_____ Date: February 13, 2019
Printed Name: Jesus R. Orozco, Assistant Planner

Explanation of Environmental Checklist

I. AESTHETICS.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion: The project will not have a substantial adverse effect on a scenic vista and will not have an overall adverse visual impact on the immediate area. The project will not substantially damage scenic resources and will not have an overall adverse visual impact on any scenic resources. The project would result in some sources of light on the site. Existing City standards will ensure that the impact is less than significant and will not substantially degrade the existing visual character or quality of the property and its surroundings.

a. **No Impacts**. The project will not result in the obstruction of federal, state or locally classified scenic areas, historic properties, community landmarks, or formally classified scenic resources such as a scenic highway, national scenic area, or state scenic area. The project will not have a substantial adverse effect on a scenic vista. The City of Madera is located in a predominantly agricultural area near the base of the Sierra Nevada Mountain Range, which provides for aesthetically pleasing views and open spaces. By developing land within the city's sphere of influence, the proposed project will reduce development pressure on rural lands.

b. **No Impacts.** The project will not damage scenic resources, including, but not limited to, rock outcroppings, and historic buildings within a state scenic highway.

c. **No Impacts.** The project would not substantially degrade the existing visual character or quality of the site and surroundings under examination. The proposed project would not alter the landforms, view sheds, and overall character of the area.

d. **Less than Significant Impacts.** There will be an increase in light and glare and other aesthetic impacts associated with urban development as a result of the project, although it will be a less than significant impact because lighting will be down shielded and directed per the approval of the City Engineer in addition to conditions of approval within the use permits.

II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepare pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

Discussion: The project area is located on land identified as Urban and Built-up Land within the 2016 California Farmland Mapping and Monitoring Program.

a. **No Impacts**. The project would not convert prime farmland, unique farmland, or farmland of statewide importance (as shown on the maps prepared pursuant to the farmland mapping and monitoring program of the California resources agency) to non-agricultural use. The project site is identified as Urban and Built-Up Land on the 2016 Madera County Important Farmland Map. The project site has been identified for commercial uses within the City of Madera General Plan, and the land has not been utilized for any agricultural purposes for an extended length of time.

b. **No Impacts**. The project would not conflict with existing zoning for agricultural use and there are no Williamson Act contracts in the affected territory. The City of Madera General Plan identifies this site for commercial uses.

c. **No Impacts**. The development of this property will not influence surrounding properties to convert from farmland to non-agricultural uses since this property is surrounded by property designated for urban development, consistent with the Madera General Plan.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

Discussion: The project area is located within the San Joaquin Valley Air Basin (SJVAB). Air quality conditions in the SJVAB are regulated by San Joaquin Valley Air Pollution Control District (SJVAPCD). The region is classified as a State and Federal non-attainment area for PM10 (airborne particulate matter with an aerodynamic diameter of less than 10 microns), and ozone (O3).

Air quality is determined primarily by the type and amount of contaminants emitted into the atmosphere, the size and topography of the Basin, and its meteorological conditions. National and state air quality standards specify the upper limits of concentrations and duration in the ambient air for O3, CO, nitrogen dioxide (NO2), PM10, sulfur dioxide (SO2) and lead (Pb). These are “criteria pollutants.” The SJVAPCD also conducts monitoring for two other state standards: sulfate and visibility.

The State of California has designated the project area as being a severe non-attainment area for 1-hour O3, a non-attainment area for PM10, and an attainment area for CO. The EPA has designated the project area as being an extreme non-attainment area for 1-hour O3, a serious non-attainment area for 8-hour O3, a serious non-attainment area for PM10, and a moderate maintenance for CO.

The project will not conflict with or obstruct the implementation of applicable Regional Air Quality Control Plans. The SJVAPCD has determined that project specific emissions are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 tons/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project specific criteria pollutant emissions would have no significant adverse impact on air quality.

The type of proposed development is subject to Rule 9510 (Indirect Source Review) by the SJVAPCD. The project would not create substantial air emissions or deterioration of ambient air quality, and any future development would be subject to SJVAPCD review. Construction equipment will produce a small amount of air emissions from internal combustion engines and dust. The project will not violate any air quality standard or substantially contribute to an existing or projected air quality violation. The project will not result in a considerable net increase in non-attainment pollutants in this area. The project will not expose sensitive receptors to any significant amount of pollutants. The project will not create any objectionable odors.

The project will be required to comply with all applicable rules and regulations of the SJVAPCD, including but not limited to Rules 8041, 8051, 8061 and 8071.

a. **Less than Significant Impacts**. The proposed project would not conflict with or obstruct implementation of the applicable air quality plan.

b. **Less than Significant Impacts**. The proposed project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

c. **Less than Significant Impacts**. The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard, including releasing emissions which exceed quantitative thresholds for ozone precursors.

d. **No Impacts**. The proposed project would not expose sensitive receptors to substantial pollutant concentrations.

e. **No Impacts**. The proposed project would not create any new/permanent objectionable odors affecting a substantial number of people.

IV. BIOLOGICAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion: With the preparation of the City of Madera General Plan, no threatened or endangered species were identified in the project area. The project area has been recently been subjected to

commercial urbanization in the past, resulting in a highly maintained and disturbed habitat. There is no record of special-status species in this project area. Development of the project area is consistent with the urbanization of the Madera area, as evaluated in the General Plan and its EIR; therefore, impacts in this category are not anticipated to exceed the impacts addressed in those documents.

a. **Less than Significant Impacts**. The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

b. **No Impacts**. The proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.

c. **No Impacts**. The project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act, including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means.

d. **Less than Significant Impacts**. The project would not have a substantial adverse effect, either directly or through the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

e. **No Impacts**. The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

f. **No Impacts**. The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

V. CULTURAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Discussion: The project does not have the potential to cause a physical change that would affect unique historic, ethnic, or cultural values. The project will not disturb archaeological resources. The project will not disturb any unique paleontological or geologic resources. The project will not disturb any human remains. Prior clearances have been granted to the City of Madera relative to archeological surveys conducted in the same area. In the event any archeological resources are discovered with project construction, all activities shall cease and the Community Development Department shall be notified so that the procedures required by State Law may be applied.

a. **No Impacts.** The proposed project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines. There are no known historical resources located in the affected territory.

b. **No Impacts.** The proposed project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines. There are no known archaeological resources located in the project area.

c. **No Impacts**. The proposed project would not directly or indirectly destroy unique paleontological resources or sites or unique geologic features. There are no known paleontological resources or sites or unique geologic features located in the affected territory.

d. **No Impacts**. The project would not likely disturb any human remains, including those interred outside of formal cemeteries. If development occurs in the future and any remains are discovered, the requirements of CEQA that regulate archaeological and historical resources (Public Resources Code Section 21083.2 and 21084.1), and all local, state and federal regulations that regulate archaeological and historical resources would be complied with.

VI. GEOLOGY AND SOILS.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☐	☒
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv. Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

Discussion: There are no known faults on the project site or in the immediate area. The project site is subject to relatively low seismic hazards compared to many other parts of California. Potential ground shaking produced by earthquakes generated on regional faults lying outside the immediate vicinity in the project area may occur. Due to the distance of the known faults in the region, no significant ground shaking is anticipated on this site. Seismic hazards on the built environment are addressed in *The*

Uniform Building Code that is utilized by the Madera Building Division to monitor safe construction in the City.

a.

i. **No Impacts.** No known faults with evidence of historic activity cut through the valley soils in the project vicinity. The major active faults and fault zones occur at some distance to the east, west, and south of the project site. Due to the geology of the project area and its distance from active faults, the potential for loss of life, property damage, ground settlement, or liquefaction to occur in the project vicinity is considered minimal.

ii. **No Impacts**. Ground shaking generally decreases with distance and increases with the depth of unconsolidated alluvial deposits. The most likely source of potential ground shaking is attributed to the San Andreas, Owens Valley, and the White Wolf faults. Based on this premise, and taking into account the distance to the causative faults, the potential for ground motion in the vicinity of the project site is such that a minimal risk can be assigned.

iii. **No Impacts.** Liquefaction describes a phenomenon in which a saturated soil loses strength during an earthquake as a result of induced shearing strains. Lateral and vertical movement of the soil mass combined with loss of bearing usually results. Loose sand, high groundwater conditions (where the water table is less than 30 feet below the surface), higher intensity earthquakes, and particularly long duration of ground shaking are the requisite conditions for liquefaction. There is no evidence of the presence of these requisite conditions.

iv. **No Impacts.** The project will not result in or expose people to potential impacts from landslides or mudflows.

b. **No Impacts.** Construction of urban uses would create changes in absorption rates, drainage patterns, and the rate and amount of surface runoff on the selected project site. Standard construction practices that comply with City of Madera ordinances and regulations, the California Building Code, and professional engineering designs approved by the Madera Engineering Division will mitigate any potential impacts from future urban development, if any.

c. **No Impacts.** The project site would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

d. **No Impacts.** The project will not result in or expose people to potential impacts from expansive soils.

e. **No Impacts.** Should urban uses be approved in the project area, the City of Madera would provide necessary sewer and water systems.

VII. GREENHOUSE GAS EMISSIONS.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion: The San Joaquin Valley Unified Air Pollution Control District staff has concluded that existing science is inadequate to support quantification of impacts that project specific GHG emissions have on global climatic change. This is readily understood when one considers that global climatic change is the result of the sum total of GHG emissions, both manmade and natural that have occurred in the past; that is occurring now; and may occur in the future. The Air District has advanced a methodology of reducing the (assumed) significance of impacts around performance measures applied to projects or alternatively, by comparing project-level impacts to an identified GHG emissions threshold.

In the absence of further regulatory or scientific information related to GHG emission and CEQA significance, it is currently too speculative to make a significant determination regarding this project's direct and indirect impact with respect to climate change. The City General Plan includes policies in support of GHG emissions reduction and climate change. The City supports local, regional, and statewide efforts to reduce the emission of greenhouse gases linked to climate change.

VIII. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Discussion: The project will not bring about a direct increase in the risk of accidental explosion or release of hazardous substances. The project site has not been identified as a hazardous material site. The project will not result in a substantial air safety hazard for people residing in the area or future residents of the project. The project site is not within a quarter mile of any existing or proposed school. The project will not result in any hazards to air traffic or be a substantial air safety hazard. The project will not interfere with any emergency response or evacuation plans. The project will not bring about an increase in fire hazards in areas from flammable brush, grass, or trees.

a. **Less than Significant Impacts.** The proposed project would not create any hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials.

b. **Less than Significant Impacts.** The proposed project would not create any hazards to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

c. **No Impacts.** The project would not emit hazardous emissions or require the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

d. **No Impacts.** The land within the project site is not included on a list of hazardous materials sites. The Department of Toxic Substances Control's Hazardous Waste and Substances Site List (Cortese List) does not list any hazard waste and substance sites within the City of Madera (www.dtsc.ca.gov/database/Calsites/Cortese_List.cfm).

e. **No Impacts.** The project site is not located within an airport land use plan or within two miles of a public airport or public use airport. The project would not result in a safety hazard for the people residing or working in the project area.

f. **No Impacts.** The project site is not located within the vicinity of a private airstrip, and would not result in a safety hazard for people residing or working in the project vicinity related to an airstrip or aviation activities.

g. **No Impacts.** The proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

h. **No Impacts.** The proposed project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires.

IX. HYDROLOGY AND WATER QUALITY.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☐	☒
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f. Otherwise substantially degrade water quality?	☐	☐	☐	☒
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒

i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Discussion:
The proposed project would not violate any water quality standards or waste discharge requirements. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. Services will be provided in accordance with the City's Master Plans. The project will not change any drainage patterns or stream courses, or the source or direction of any water movement. During construction, the project site may be exposed to increased soil erosion from wind and water. Dust control will be used during construction. With completion, the project will not bring about erosion, significant changes in topography or unstable soil conditions.

The project will not expose people or property to water related hazards. During future construction, the project site may be exposed to increased soil erosion from wind and water. Dust control will be used during any future construction. With completion, the project will not bring about erosion, significant changes in topography or unstable soil conditions. Standard construction practices and compliance with City ordinances and regulations, *The Uniform Building Code,* and adherence to professional engineering design approved by the Madera Engineering Department will mitigate any potential impacts from this project. This development will be required to comply with all City ordinances and standard practices which will assure that storm water will be adequately drained into the approved storm water system. The project will not create any impacts on water quality.

Based on a review of the City's FEMA maps, the site is within Zone X, and the project will not place housing or other land uses in a 100-year flood hazard area. These are areas outside of the 500-year flood area. The project will not expose people or structures to a significant risk because of dam or levee failure. The project will not expose people or structures to a significant risk because of a seiche, mudflow, or tsunami.

a. **No Impacts**. Development of the project site would be required to comply with all City of Madera ordinances and standard practices which assure proper grading and storm water drainage into the approved storm water systems. Any development would also be required to comply with all local, state, and federal regulations to prevent any violation of water quality standards or waste discharge requirements.

b. **Less than Significant Impacts**. The proposed project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a significant net deficit in aquifer volume or a lowering of the local groundwater table level.

c. **No Impacts**. The proposed project would not alter the existing drainage pattern of the site or area through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site.

d. **No Impacts**. The proposed project would not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off-site.

e. **Less than Significant Impacts**. The proposed project would not significantly create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. All plant nutrient handling and/or transfer areas will include containment and capture features.

f. **No Impacts**. The proposed project would not degrade water quality.

g. **No Impacts**. The project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

h. **No Impacts**. The project would not place within a 100-year flood hazard area structures that would impede or redirect flood flows.

i. **No Impacts**. The project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

j. **No Impacts**. The project would not have any potential to be inundated by a seiche, tsunami, or mudflow.

X. LAND USE AND PLANNING.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Physically divide an established community?	☐	☐	☐	☒
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but no limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion: Development of the project area is consistent with the urbanization of the project area, as evaluated in the General Plan and its EIR; therefore impacts in this category are avoided.

a. **No Impacts**. The project would not physically divide an established community. Rather, it logically allows development to occur in an orderly manner, adjacent to and within the urbanized area of the City.

b. **No Impacts**. The proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The proposed project is consistent with the goals and policies of the General Plan.

c. **No Impacts**. The project would not conflict with any applicable habitat conservation plan or natural community conservation plan.

XI. MINERAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

a. **No Impacts**. The project would not result in the loss or availability of mineral resources.

b. **No Impacts**. The proposed project would not result in the loss of availability of any locally important mineral resource recovery sites.

XII. NOISE.

Would the project result in:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion: These potential impacts were addressed in the General Plan EIR, and goals and mitigation measures were adopted to reduce potential impacts to a less than significant level. Development of the project area is consistent with the urbanization of the Madera area, as evaluated in the General Plan, and its EIR; therefore impacts in this category are not anticipated to exceed the impacts addressed in those documents.

a. **No Impacts**. The proposed project would not result in exposure of persons to or the generation of noise.

b. **No Impacts**. The proposed project would not result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

c. **Less than Significant Impacts**. The proposed project would not result in any significant increase in ambient noise levels in the project vicinity above levels existing without the project.

d. **Less than Significant Impacts**. The proposed project may result in some temporary increase in ambient noise levels in the project vicinity during construction of the site.

e. **No Impacts**. The proposed project site is not located within an airport land use plan or within two miles of a public airport or public use airport. Figure 14 of the Madera Municipal Airport Master Plan Report demonstrates that all 60 and 65 CNEL noise contours are contained entirely within the boundaries of the airport.

f. **No Impacts**. The project is not located within the vicinity of a private airstrip.

XIII. POPULATION AND HOUSING.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion: The proposed project will not induce additional substantial growth in this area. The property involved does not have any existing residential uses and the project would not displace any housing. Likewise, the project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

a. **Less than Significant Impacts**. The proposed project will provide employment opportunities which may induce a minimal growth in population by individuals and/or families who move to Madera in response to opportunities for employment. Sufficient capacity exists in the City's residential inventory to accommodate that growth.

b. **No Impacts**. The proposed project would not displace any existing housing, thereby necessitating the construction of replacement housing elsewhere since the site is vacant.

c. **No Impacts**. The proposed project would not displace any people.

XIV. PUBLIC SERVICES.

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☒	☐
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☒	☐

Discussion: The project will not result in substantial adverse physical impacts from new or altered public facilities. As development occurs, there will be a resultant increase in job opportunities, and a greater demand placed upon services, such as fire and police protection, and additional park and school facilities. This additional demand is consistent with the demand anticipated in the General Plan and evaluated its demand in the General Plan EIR.

The project will not bring about a significant increase in demand for public services. There will be an increase in street, and water and sewer system maintenance responsibility because of this project. However, based on the density of the proposal, the increase in manpower requirements for the Public Works Department will be minimal.

The project will not bring about the need for new wastewater treatment facilities. The project will not significantly increase the demand on water supplies. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. The project will not significantly increase the need for additional storm water drainage facilities beyond the existing and master planned drainage basin facilities that are available to serve the project. The project area will be required to provide additional facilities within the development, and comply with the City's Master Plan, Ordinances, and standard practices. The project will not bring about a significant increase in the demand for solid waste disposal services and facilities.

i. Fire protection. **Less than Significant Impacts**. The proposed project would not result in substantial adverse physical impacts to fire protection services.

ii. Police protection. **Less than Significant Impacts**. The proposed project would not result in substantial adverse physical impacts associated with the provision of police protection.

iii. Schools. **Less than Significant Impacts.** The Madera Unified School District levies a school facilities fee to help defray the impact of commercial development. The proposed project would not generate a significant impact to the schools in Madera.

iv. Parks. **Less than Significant Impacts**. The proposed project would not generate a significant impact to the park facilities in Madera.

v. Other public facilities. **Less than Significant Impacts**. The proposed project would not have any impacts on other public facilities.

XV. RECREATION

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion: Commercial development is consistent with the City of Madera General Plan and Zoning Ordinance. Impacts in this category are not anticipated to exceed the impacts addressed in those documents.

a. **No Impacts**. The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

b. **No Impacts**. The project does not include recreational facilities or facilities which might have an adverse physical effect on the environment.

XVI. TRANSPORTATION/TRAFFIC.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☒	☐	☐
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☒	☐
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e. Result in inadequate emergency access?	☐	☐	☐	☒
f. Result in inadequate parking capacity?	☐	☐	☐	☒
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

Discussion: Streets serving the project site are designed for high traffic volume. Madera Avenue (California State Route 145) is a State highway, Fig Street is a collector street and Elm Street is a local street. The applicant had a Traffic Impact Study completed for the proposed project. The traffic impact study describes improvements that would mitigate the anticipated traffic impacts of the proposed project to achieve acceptable levels of service from Caltrans and the City Engineer.

Mitigation Measure 16(a)-1:
The off-site improvements relative to traffic impacts shall be consistent with the recommendations of the traffic impact study and resulting Caltrans requirements in the attached document dated February 22, 2019, as well as any modifications to the requirements contained therein as part of the final traffic study approval.

b. **No Impacts**. The project would not exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

c. **Less than Significant Impacts**. The proposed project would result in a change in traffic patterns, including either an increase in traffic levels or a change in location, but would not result in substantial safety risks.

d. **No Impacts**. The proposed project would not increase hazards to transportation systems due to design features such as sharp curves, dangerous intersections, or incompatible uses.

e. **No Impacts**. The proposed project would not result in inadequate emergency access.

f. **No Impacts**. The proposed project would not result in inadequate parking capacity.

g. **No Impacts**. The project will not conflict with adopted policies, plans, or programs supporting alternative transportation.

UTILITIES AND SERVICE SYSTEMS.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Discussion: The City's community sewage disposal system will continue to comply with Discharge Permit requirements. The project will not bring about the need for new wastewater treatment facilities. The project will not significantly increase the demand on water supplies, adequate domestic water and fire flows should be available to the property. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. The project will not increase the need for additional storm water drainage facilities beyond the existing and master planned drainage basin facilities that are available to serve the project. The project area will be required

to comply with the City's Master Plan, Ordinances, and standard practices. The project will not bring about a significant increase in the demand for solid waste disposal services and facilities.

a. **No Impacts**. The project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

b. **Less than Significant Impacts**. The proposed project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

c. **Less than Significant Impacts**. The proposed project would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

d. **Less than Significant Impacts**. There will be sufficient water supplies available to serve the project.

e. **No Impacts**. The project would not require a determination by a wastewater treatment provider.

f. **No Impacts**. The project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

g. **No Impacts**. Any development project that might be proposed on the project site would be required to comply with federal, state, and local statutes as well as regulations related to solid waste by the City of Madera.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Determination:

Based upon staff analysis and comments from experts, it has been determined that the proposed project could generate some limited adverse impacts in the areas of Aesthetics, Air Quality, Biological Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Population, Public Services, and Utilities and Service Systems. Transportation and Traffic require recommendations from the traffic impact study and requirements that satisfy the level of service from CalTrans and the City Engineer.

The traffic/transportation impact identified in this Initial Study is considered to be less than significant with recommendations from the traffic impact study and requirements that satisfy the level of service from Caltrans and the City Engineer due to increased traffic as a result of the construction of the project. Therefore, a Mitigated Negative Declaration is the appropriate level of documentation for this project.

CITY OF MADERA
MITIGATION MONITORING PROGRAM

Project Name and/or File Number: Conditional Use Permit 2018-24 through 29
Site Plan Review 2018-39

Project Description: An application for six conditional use permits to allow for three drive-thru uses and three outdoor patio areas benefiting three restaurant businesses. An application for a site plan review accompanies the conditional use permits which will guide the development of five building pads encompassing approximately 26,000 square feet cumulatively. The project is proposed to be developed in two phases. Phase one will include the development of Pad 1 and 2 and the associated drive-thru use and an outdoor patio area. Phases two will include the development of Pad's 3, 4 and 5 and the associated two drive-thru uses and two outdoor patio areas.

Pad 1 is proposed to be developed as a 2,400 square foot quick service coffee restaurant with a drive-thru stacking lane with queuing for no less than ten cars and an outdoor patio area with seating for no more than twenty-four persons. The quick service coffee restaurant will be limited to a cumulative 111 seats for both inside and outside dinning. Pad 2 is proposed to be developed as a 3,200 square foot retail phone store. Pad 3 is proposed to be developed with two tenant suites. Tenant A is proposed to be utilized as a 5,500 square foot retail suite. Tenant B is proposed to be utilized as a 2,200 square foot quick service restaurant with a drive-thru stacking lane with queuing for no less than ten cars and an outdoor patio area with seating for no more than twelve persons. The quick service restaurant will be limited to a cumulative 93 seats for both inside and outside dinning. Pad 4 is proposed to be developed as a 2,200 square foot quick service restaurant with a drive-thru stacking lane with queuing for no less than ten cars and an outdoor patio area with seating for no more than twenty persons. The quick service restaurant will be limited to a cumulative 102 seats for both inside and outside dinning. Pad 5 is proposed to be developed as 9,965 square foot retail building. The site would be required to construct a masonry block wall wherein the project site's property lines are shared with residential uses, to provide screening from light glare and noise attenuation. The project also proposes site improvements and other site appurtenances including parking and drive aisles, loading docks, landscaping, and walls and fences.

Monitoring Phase:
Pre-construction ___; Construction _X_; Pre-occupancy _X_; Post-occupancy ___

Public Resources Code 21081.6 requires public agencies to adopt mitigation reporting and monitoring programs for all projects for which a mitigated negative declaration has been prepared. This law is intended to ensure the implementation of all mitigation measures incorporated into the project as set down in the California Environmental Quality Act (CEQA) process.

The Mitigation Monitoring Program for the proposed project will be in place through all phases of implementation for the project. The City of Madera will have the primary enforcement role for mitigation measures that are the responsibility of the City of Madera to implement. The "Environmental Monitor" (EM) is the Planning Manager, who will be responsible for operation of the program. The EM is responsible for managing and coordinating monitoring activities with City staff and for managing City reviews of the proposed project.

During site development, site visitations, construction management and permit inspections by City staff assure that mitigation measures and conditions are being met. Failure to meet any condition of development may lead to a suspension of construction activities and code enforcement action.

Conditional Use Permit 2018-24 through 29 and Site Plan Review 2018-39 Mitigation Measures

16. Transportation/Traffic

16(a)-1 The off-site improvements relative to traffic impacts shall be consistent with the recommendations of the traffic impact study and resulting Caltrans requirements in the attached document dated February 22, 2019, as well as any modifications to the requirements contained therein as part of the final traffic study approval.

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CITY OF MADERA
PLANNING COMMISSION

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

Staff Report: Dunkin' Donuts Sign Variance
VAR 2019-01 & Categorical Exemption
Item # 2 – May 14, 2019

PROPOSAL: Consideration of a request for a sign variance to allow for additional on-building signage beyond the maximum allowable on-building signage as required by Section 10-6 (sign ordinance) of the Madera Municipal Code (MMC).

APPLICANT:	Image Point Signs/Christina Hall	**OWNER:**	John Phillips/Walmart
ADDRESS:	1977 W. Cleveland Avenue	**APN:**	013-160-014
APPLICATION:	VAR 2019-01	**CEQA:**	Categorical Exemption

LOCATION: The project site is located adjacent to the Madera Marketplace shopping center, situated on the northeast corner of the intersection of Schnoor Avenue and Cleveland Avenue.

STREET ACCESS: The project site has access to West Cleveland Avenue and North Schnoor Avenue.

PARCEL SIZE: Approximately 12.30 acres.

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C1 (Light Commercial)

SITE CHARACTERISTICS: The Madera Marketplace shopping center is substantially surrounded by developed commercial/retail properties, with the Commons at Madera Fairgrounds shopping center to the south and John Deere equipment dealer to the east.

ENVIRONMENTAL REVIEW: The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15311(a) (Accessory Structures).

SUMMARY: Dunkin' Donuts has requested a variance from the sign ordinance of the MMC to allow for an additional seventeen square feet of on-building signage where 563 square was recently approved from a previous sign variance in conjunction with the Walmart remodel. Staff has analyzed similarly sized buildings and the provisions of applicable master sign programs and recommends approval of a specified sign ratio so as to resolve the current variance request and all potential future sign requests associated with Walmart.

APPLICABLE CODES AND PROCEDURES

MMC §10-3.1401 Variances
MMC §10-6.01 Sign Regulations – Purpose and Intent
MMC §10-6.19 Minor Adjustments and Variances

The City's sign ordinance can have an obvious impact on the character, quality, and economic health of the City of Madera. As a prominent part of the scenery, signs may attract the viewing public, help set the visual tone of the community, and affect the safety of vehicular and pedestrian traffic. Application of the sign ordinance prevents the degradation of the visual quality of the City which can result from the proliferation of excessive amounts of signage, poorly designed signage, inappropriately located signage, and/or signage maintained in a hazardous or unsightly fashion.

A sign variance may be granted by the Planning Commission (Commission) where practical difficulties, unnecessary hardships, or results that are inconsistent with the general purposes of the Zoning Ordinance may result from the strict and literal application of any of the provisions of the ordinance. If the Commission cannot make the appropriate findings, the variance request should be denied. Conditions may be attached to the approval of the variance to ensure compatibility. Project design may be altered and on- or off-site improvements required in order to make the project compatible with nearby uses.

PRIOR ACTION

Since development of the Madera Marketplace shopping center, numerous planning entitlements have been approved to allow for various activities, including outdoor display, alcohol sales, schools, and the temporary placement of shipping containers for merchandise storage during the holiday season. Most recently, a sign variance (VAR 2018-02) was approved by the Commission on August 14, 2018 to allow for 563 square feet of on-building signage where 325 square feet of on-building signage is allowed for Walmart in conjunction with their recent remodel.

ANALYSIS

The applicant, Dunkin' Donuts, is in process of establishing their business inside of Walmart in place of the previous McDonald's. Walmart recently underwent renovations in 2018 to remodel the Walmart structure, which included new on-building signage. At the time of the remodel, the proposed signage exceeded the maximum allowable on-building signage allowed by the sign ordinance. VAR 2018-02 was approved by the Commission to allow for the desired amount of signage. Justification for the variance was that the limitations of the sign ordinance for on-building signage for the Walmart building would result in signs that were disproportionate to the size of the building. VAR 2018-02 didn't include provision of signage for Dunkin' Donuts or any additional signage in excess of the requested amount.

Variance Necessity

There are two findings that must be made in order to grant a variance, which are stated as follows:

1. Where practical difficulties, unnecessary hardships, or results inconsistent with the general purposes of this chapter may result from the strict and literal application of any of the provisions of this chapter, a variance may be granted.

2. Variances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the zoning regulations deprives such property of privileges enjoyed by other property in the vicinity under identical zoning classifications. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

Justification Letter

The applicant's justification for the additional signage is that the current limitations of the allowed signage are strict with the large size of the building able to accommodate more signage without being disproportionate to the size of the building.

Justification for Variance

Because a previous sign variance was approved that limits the amount of signage to a specific amount, any proposal for new on-building signage would be inconsistent with the general purposes of this chapter that results from the strict and literal application of the sign ordinance.

The Walmart building is one of the largest standalone commercial buildings within a shopping center in the City of Madera. Larger signage is expected on larger buildings in order to provide for a proportionately-scaled design that enhances the aesthetics of the building, consistent with the purpose and intent of the sign ordinance. This rationale was important in the granting of VAR 2018-02.

Lowe's, which is in close proximity to Walmart, is of similar size to the Walmart building. Signage for the Lowe's is governed by a master sign program, which allows for 1.5 square feet of signage per each linear feet of building frontage. According to the approved sign permit for Lowe's, there is a total of 701.5 square feet of on-building signage. Walmart is not included within the Madera Marketplace master sign program, and consequently has relied upon the sign regulations of the MMC. New shopping centers today though, especially those with "big box" businesses, are required to submit a master sign program to ensure the amount of on-building signage allowed is proportionate to the size of the building.

Dunkin' Donuts' proposed signage is a sign located on the front of the building where the primary entrance is located. The sign complies with the purpose and intent of the sign ordinance, enhancing the aesthetic value of the building and is proportionate to the size of the building. It is smaller than the majority of the Walmart signage (17.4 square feet) as Dunkin' Donuts is a secondary business within Walmart. The sign is secondary in nature to the Walmart signage. The

strict application of the sign ordinance is depriving the Walmart structure of additional on-building signage that is enjoyed by another business in the vicinity with a similar size building and within a commercial zone district.

Staff can support the request for variance. Moreover, staff is supportive of applying a specified signage ratio to the Walmart structure such that the amount of signage is allowed on the structure provides for the current request and resolves any potential future conflicts that could arise. In order to be consistent with on-building signage for similar "big box" business(es) in vicinity of the project site, staff recommends the following ratio to be applied to the Walmart building for on-building signage:

- One and one-half square feet of signage for each lineal foot of building frontage along the southern and western elevations of the Walmart structure.

This determination currently results in a maximum on-building signage allowance of approximately 1000 square feet. No additional adjustment in allowed signage would be supported in the future.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Although approval of a sign variance from the sign ordinance of the MMC is not specifically addressed in the vision or action plans, the overall project does indirectly support a primary focus toward economic opportunity and a goal to "encourage new and redeveloped retail properties."

RECOMMENDATION

The information presented in this report provides support for approval of the sign variance request. It is recommended that the Commission consider the information in this report, as well as testimony in the public hearing, and approve Variance (VAR) 2019-01, subject to the findings and conditions of approval.

PLANNING COMMISSION ACTION

The Commission will be acting on VAR 2019-01.

Motion 1: Move to approve VAR 2019-01, subject to the findings and conditions of approval as listed:

Findings

- This project is categorically exempt under Section 15311(a) (Accessory Structures) of the CEQA guidelines.

- As conditioned, the allowance for additional signage in the C1 (Light Commercial) Zone District will be compatible with the surrounding properties because its placement will not negatively impact adjoining commercial properties.

- Because the limitations for a maximum of 563 square feet of on-building signage for this business would result in signs that are disproportionate to the size of the building providing inconsistency with the purpose and intent of the sign ordinance, a variance may be granted to allow for additional signage.

- Because the Lowe's building, which is in close vicinity of Walmart and of similar size within a commercial zone district, allows for more signage than the Walmart building, the strict application of the zoning regulations deprives the Walmart building enjoyed by other businesses in the vicinity under a commercial zone district. A variance may be granted subject to conditions that will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

- As conditioned, the establishment, maintenance or operation of the use will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare or persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the City.

CONDITIONS OF APPROVAL

1. The primary structure (Walmart) located on the subject property at 1977 West Cleveland Avenue (APN: 013-160-014) shall be allowed the following on-building signage ratio:

    - One and one-half square feet of on-building signage for each linear foot of building frontage on the southern and western elevations of the structure.
    - Signage may be transferred onto the northern and eastern building elevations.

(OR)

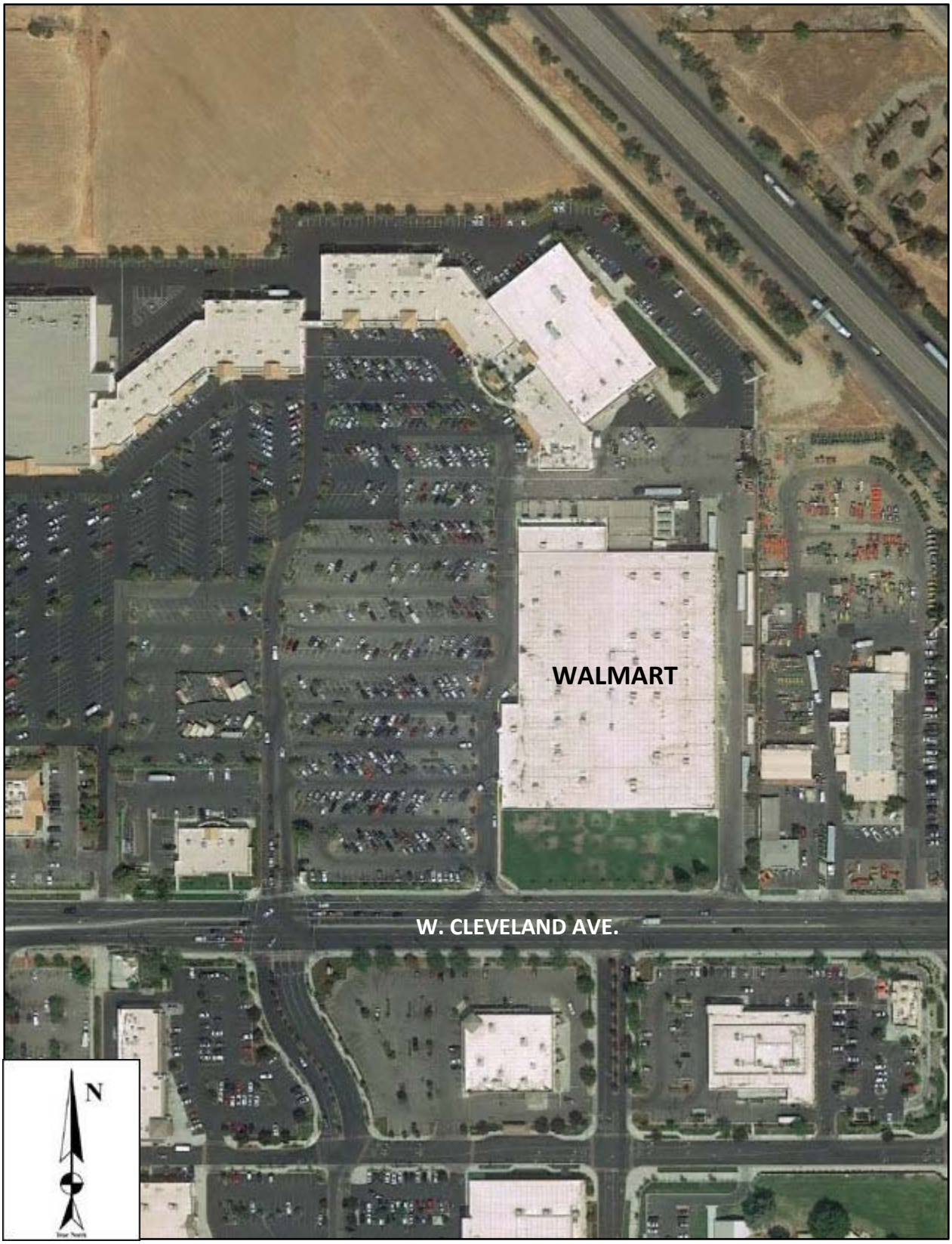
Motion 2: Move to continue the public hearing on VAR 2019-01 to the June 11, 2019 Commission hearing, for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for VAR 2019-01, based on the following findings: (specify)

ATTACHMENTS
Attachment 1: Aerial Map
Attachment 2: Justification Letter
Attachment 3: Sign Exhibits

Attachment 1: Aerial Map



Attachment 2: Justification Letter

Application for Signage Variance
Walmrt/Dunkin Donuts
1977 W Cleveland St
Madera, CA 93637

JUSTIFICATION LETTER

March 19, 2019

This letter is written to provide an explicit typewritten statement as to the nature and intent of the variance that is being requested by Image Point Signs, on behalf of the owner, Walmart/Dunkin Donuts, for the existing Walmart store located at 1977 W Cleveland St Madera, CA 93637. Image Point Signs will represent
Walmart/Dunkin Donuts for all purposes relative to this variance application with authority to execute documents relative to the variance as deemed necessary or appropriate.

PURPOSE OF THE REQUEST:
A Dunkin Donuts will be opening inside the existing Walmart location at 1977 W Cleveland St Madera, CA 93637, which will include new wall signage on the existing building front of the Walmart, which are in accordance with the company branding and logo. The new branding is not consistent with the requirements of the City of Madera sign regulations.

ALLOWED SQUARE FEET:
Current requirements of City of Madera sign regulations allows for a total of 325 square feet. There is a variance in place now for additional square footage, for their current signage, maximum 563 square feet, which puts the new proposal 17.4 square feet over the allowed maximum.

OUR VARIANCE REQUEST:
We respectfully request relief from the current sign regulations stating that the maximum total area for all permitted signs shall not exceed the 325 square feet. Below is a list of proposed signage:

FRONT WALL:
Adding New 17.4 square feet Dunkin Donuts sign

REASON FOR REQUEST:
This building sits on a corner lot between Cleveland St and N Schooner St, and there is an entrance from both roads. The limitations on the square footage are strict, Walmart has many services that it needs to be able to advertise, and the limitations on signage is not allowing for enough signage to do so. If the sign was made smaller to accomodate more signage in the allowed square feet, the sign would then be too small to be seen from the street and would look disproportional to the large walls and other signs. The size of this building could hold a large amount of signage needed without looking crowded and could then allow for the proper amount of signage needed for advertising the new vendor.

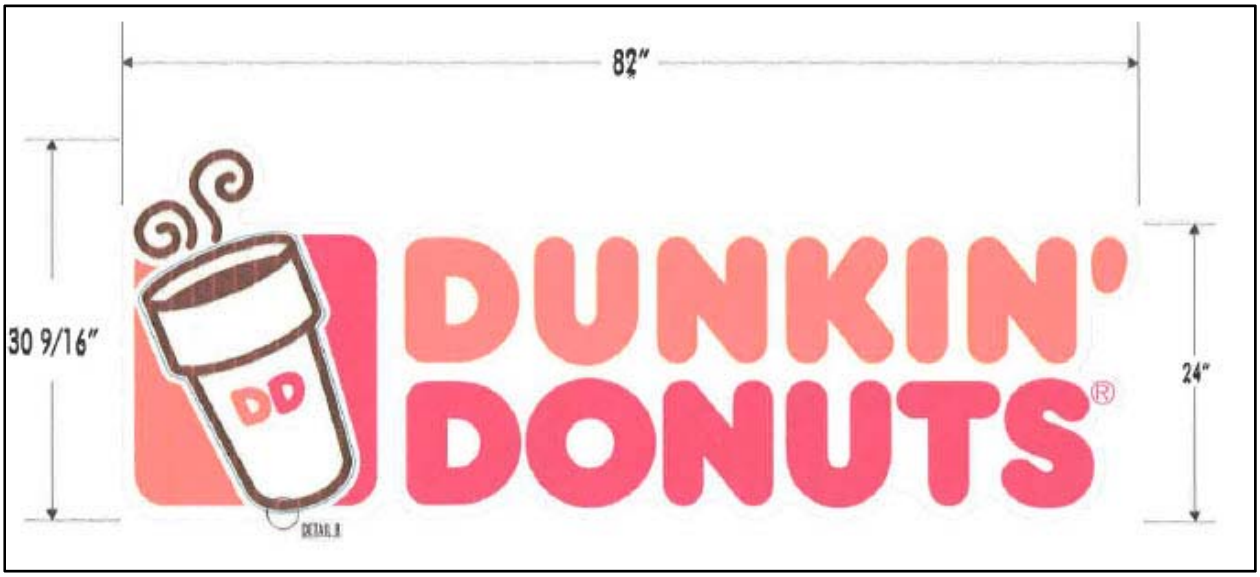
Currently the front wall has one Walmart wall sign and one Pick-Up sign. We are proposing to place a 17.40 square foot Dunkin Donuts sign on this wall next to Pick-Up sign.

Although the new signage will be nonconforming to the zoning code, it will still look aesthetically pleasing.

By,_____
Christina Hall, Permit Coordinator

Image Point Signs
7411 W Sunnyview Ave
Visalia,CA 93291
imagepointservice@gmail.com

Attachment 3: Sign Exhibits



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CITY OF MADERA
PLANNING COMMISSION

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

Staff Report: TranPak
CUP 2019-06, SPR 2019-15 & Negative Declaration
Item # 3 – May 14, 2019

PROPOSAL: Consideration of a request for a conditional use permit and site plan review to allow for the development of an approximately 65,000 square foot industrial building and outdoor storage area in conjunction with the establishment of a plastic pallet manufacturing and distribution company.

APPLICANT:	TranPak	**OWNER:**	TranPak
ADDRESS:	No address assigned	**APN:**	009-331-010 & 011
APPLICATION:	CUP 2019-06 & SPR 2019-15	**CEQA:**	Negative Declaration

LOCATION: The project is located on the northeast corner of the intersection of Pecan Avenue and Victory Lane.

STREET ACCESS: The properties have access to Victory Ln., Independence Dr. and Pecan Ave.

PARCEL SIZE: Two parcels encompassing approximately six acres.

GENERAL PLAN DESIGNATION: I (Industrial)

ZONING DISTRICT: I (Industrial)

SITE CHARACTERISTICS: The project site is vacant land located in Freedom Industrial Park. Future concrete tilt-up buildings, the future intermodal station and Deerpoint Group is located to the north. Agricultural uses are located immediately south. Madera South High School is located to the east. Vacant industrial land is located to the west.

ENVIRONMENTAL REVIEW: An initial study and negative declaration have been prepared for consideration by the Planning Commission (Commission), consistent with California Environmental Quality Act (CEQA) guidelines.

SUMMARY: The applicant is proposing to establish a plastic pallet manufacturing and distribution business. The development will include an approximately 60,000 square foot warehouse structure, a 5,000 square foot office space and an outdoor storage area. The site design and building architecture provide consistency with the General Plan's goals and policies, as well as consistency with the Zoning Ordinance for industrial uses. A negative declaration has been prepared in support of the project. Staff recommends approval of the project.

APPLICABLE CODES AND PROCEDURES

MMC §10-3.1002 Industrial Zones – Uses Permitted
MMC §10-3.4.0101 Site Plan Review
MMC §10-3.1202 Parking Regulations
MMC §10-3.1301 Use Permits

The City's Zoning Ordinance allows for the granting of a use permit by the Commission subject to the Planning Commission being able to make findings that the establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

If the Commission cannot make the appropriate findings, the use should be denied. Conditions may be attached to the approval of the use permit to ensure compatibility. Project design may be altered and on or off-site improvements required in order to make the project compatible with nearby uses. In addition, the application may be subject to further review, modification or revocation by the Commission as necessary.

Site plan review is required for all uses of property which involve construction of new structures, new uses which necessitate on-site improvements, including uses subject to the approval of a use permit.

PRIOR ACTION

Tentative Subdivision Map 2014-01 was approved by the Commission on March 11, 2014, which created all parcels within the Freedom Industrial Park area. The project site will be located on two of the parcels within Freedom Industrial Park. The Commission adopted a Resolution finding that the sale of the project properties were in conformity with the General Plan on April 9, 2019.

ANALYSIS

<u>Operations</u>
The applicant (TranPak) is a plastic pallet manufacturing and distribution business currently located in Fresno. Development of the industrial building will allow for the business to relocate from their current location to the City of Madera. The business will distribute and manufacture plastic pallets involving shipping and receiving truckloads of inventory daily. The manufacturing involves collecting rigid plastic waste, recycling the plastic and molding new parts.

Approximately three acres of the project site will be developed with an approximately 60,000 square foot warehouse, a 5,000 square foot office space, landscaping and a parking field. The outdoor storage area will be screened with a slatted chain link fence and will involve high-pile storage of plastic pallets. A portion of the site will be undeveloped for future expansion of the site. TranPak anticipates 28 employees upon their grand opening and 45 employees at full build out. The hours of operation will occur between 8:00 am and 5:00 pm, five days per week.

General Plan Consistency

All proposed improvements will be developed consistent with the General Plan's goals and policies for development which mandate "well-designed" and "aesthetically pleasing" development. Policy CD-62 summarizes that goal by requiring that "development in industrial areas which are visible from public roadways and/or from adjacent properties shall incorporate high-quality design principles, including:"

- Offices and enclosed structures oriented toward street frontages.
- Building facades that provide visual interest.
- Visually appealing fences and walls.
- The use of landscaped buffers around parking lots and industrial structures.

Policy CD-65 adds additional direction on the quality of construction by requiring that "regardless of building materials or construction techniques, such as tilt up concrete or prefabricated metal buildings, all buildings shall meet all of the City's standards and guidelines for excellence in design." The elevations (Attachment 4) propose "offices and enclosed structures oriented toward street frontages" and "a building façade that provides visual interest" which complies with Policy CD-62.

Parking

The Madera Municipal Code (MMC) requires that industrial uses provide one space for each two employees, plus one space for each 300 square feet of office space and customer net floor area plus one loading space for each 10,000 square feet of gross floor area. As proposed, the facility is required to provide a minimum of 31 parking stalls serving the use. With 34 stalls proposed, sufficient parking is provided.

Other Department and Agency Comments

The project was reviewed by various City Departments and outside agencies. The responses and recommendations have been incorporated into the recommended conditions of approval included in this report.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Though approval of a plastic pallet manufacturing and distribution business is not specifically addressed in the vision or action plans, the overall project does directly support the Vision Statement, "Good Jobs and Economic Opportunities" and the creation of "a strong and diverse economy, supporting the local tax base and essential community services that provides living wage opportunities for all its community members."

RECOMMENDATION

The information presented in this report provides support for the conditional approval of the site plan review request. It is recommended that the Commission consider the information in this report, as well as testimony in the public hearing, and approve CUP 2019-06 and SPR 2019-15, subject to the findings and conditions of approval.

PLANNING COMMISSION ACTION

The Commission will be acting on CUP 2019-06, SPR 2019-15 and the Negative Declaration.

Motion 1a: Move to adopt a negative declaration prepared for the project, consistent with the requirements of the California Environmental Quality Act (CEQA), based on and subject to the findings as listed:

Findings

- An initial study and negative declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) that determines there is no substantial evidence the project will have a significant effect on the environment, and that the document reflects the independent judgement of the Planning Commission of the City of Madera after considering all of the information in the entire record before it, and is hereby adopted in accordance with CEQA.

(AND)

Motion 1b: Move to approve CUP 2019-06 and SPR 2019-15, subject to the findings and conditions of approval as listed:

Findings

- An initial study and negative declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) that determines there is no substantial evidence the project will have a significant effect on the environment, and that the document reflects the independent judgement of the Planning Commission of the City of Madera after considering all of the information in the entire record before it, and is hereby adopted in accordance with CEQA.

- A plastic pallet manufacturing and distribution business is consistent with the purposes of the I (Industrial) General Plan land use designation and the I (Industrial) Zone District which provide for the use.

- Development of the outdoor storage area is consistent with the purposes of the I (Industrial) General Plan land use designation and the I (Industrial) Zone District, subject to the issuance of a conditional use permit

- As conditioned, development of the site is consistent with the Madera General Plan principles, goals and policies.

- As conditioned, the project will be consistent with established codes, standards and policies relating to traffic safety, street improvements and environmental quality.

– As conditioned, the establishment, maintenance or operation of the use will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the City.

CONDITIONS OF APPROVAL

General Conditions

1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by receipt in the Planning Department of the applicant's signature upon an Acknowledgement and Acceptance of Conditions within thirty days of the date of approval for this use permit.

2. The applicant's failure to utilize Conditional Use Permit (CUP) 2019-06 within one year following the date of this approval shall render CUP 2019-06 null and void unless a written request for extension has been submitted to and approved by the Planning Commission.

3. CUP 2019-06 may be made null and void without any additional public notice or hearing at any time upon both the benefactors of CUP 2019-06 and owners of the property voluntarily submitting to the City a written request to permanently extinguish CUP 2019-06.

4. Site Plan Review (SPR) 2019-15 shall expire one year from date of issuance unless positive action is taken on the project as provided in the MMC or a request to extend the approval is received before the expiration date (MMC Section 10-3.4.0114, Lapse of Site Plan Approval).

5. CUP 2019-06 and SPR 2019-15 shall be subject to periodic reviews and inspection by the City to determine compliance with the conditions of approval and applicable codes. If at any time, the use is determined by Staff to be in violation of the conditions, staff may schedule a public hearing before the Planning Commission within 45 days of the violation to revoke the permits or modify the conditions of approval.

6. All plans submitted for on-site construction or building permits must incorporate and reflect all requirements outlined in the herein listed conditions of approval. Should the need for any deviations from these requirements arise, or for any future changes or additions not considered by the Planning Commission, they may be requested in writing for consideration of approval by the Planning Manager. The Planning Manager may determine that substantive changes require formal modification to the conditional use permit and/or site plan review by the Planning Commission.

7. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specified in the conditions of approval listed herein or mandated by statutes.

8. It shall be the responsibility of the property owner to ensure that any required permits, inspections and approvals from any regulatory agency shall be obtained from the concerned agency prior to any building permit final issuance.

Building Department

9. At time of submittal for building permit plan check, a minimum of three (3) sets of the following plans to the Building Department is required. Plans shall be prepared by an individual licensed to practice architecture and include the following required drawings drawn to an appropriate scale:

    a) Site plan bearing City approval or a plan incorporating all site related conditions
    b) Grading plan prepared by an individual licensed to practice land surveying, civil engineering or architecture
    c) Floor plan - The uses of all rooms and activity areas shall be identified on the plans
    d) All exterior elevations
    e) Site utilities plan showing on-site sanitary sewer, water, storm sewer, water meters, backflow prevention devices, roof drains, etc., and the connections to off-site utilities

10. Current State of California and federal accessibility requirements shall apply to the entire site and all structures and parking thereon. Compliance shall be checked at permit stage, shall be confirmed at final inspection, and shall apply to proposed and future development.

Engineering Department

General

11. Nuisance onsite lighting shall be redirected as requested by City Engineer within 48 hours of notification.

12. Impact fees shall be paid at time of building permit issuance.

13. The developer shall pay all required fees for completion of project. Fees due may include but shall not be limited to the following: plan review, encroachment permit processing and improvement inspection fees.

14. Improvement plans signed and sealed by an engineer shall be submitted to the Engineering Division in accordance with the submittal process.

15. The improvement plans for the project shall include the most recent version of the City's General Notes.

16. In the event archeological resources are unearthed or discovered during any construction activities on site, construction activities shall cease and the Community Development

Director or City Engineer shall be notified so that procedures required by state law can be implemented.

17. Improvements within the City right-of-way require an encroachment permit from the Engineering Division.

18. All on-site and off-site improvements shall be completed prior to issuance of final occupancy.

Sewer

19. Sewer service connection(s) shall be constructed to current City standards.

20. Sewer main connections 6" and larger diameter shall require manhole installation.

21. The existing sewer service connections that will not be used for the project shall be abandoned at the main per current City of Madera standards.

Storm Drain

22. Storm runoff from this project site is planned to go to the Pecan Basin located west of the project site. Runoff volume calculations shall be provided, and the developer shall excavate the basin to an amount equivalent to this project's impact on the basin.

23. A drainage study shall be provided which demonstrates that the existing storm drain facilities are capable of intercepting runoff in accordance with the provisions of the Storm Drainage System Master Plan, or the study shall make recommendations for capacity improvements.

Streets

24. Access to the site along Pecan Avenue shall be limited to the existing drive approach on the eastern property line.

25. Throat lengths for driveways shall be sufficient in length as to eliminate the possibility of vehicles queuing into the City's right-of-way.

26. If the proposed vehicular access gate is closed during business hours, a turn-around between the public street and the gate shall be provided.

27. The park strip between the curb and sidewalk in the Pecan Avenue right-of-way shall be landscaped per current City standards.

Water

28. Water service connection(s) shall be constructed to current City standards including water meter(s) installed within the City right-of-way and a backflow prevention device installed within private property.

29. A separate water meter and backflow prevention device will be required for landscape area.

30. The existing water service connections that will not be used for the project shall be abandoned at the main per City of Madera standards.

Fire Department

31. Building permits are required for all improvements.

32. 2A10BC-rated fire extinguishers shall be required for each 3,000 square feet of floor area and within 75 feet of travel distance of all portions of the buildings.

33. A key box shall be required.

34. Installation of fire sprinklers and a fire alarm system shall be required.

35. Fire lanes shall be posted.

36. All building construction and site development features, including high-pile storage, will be evaluated for compliance with applicable codes at time of plan check. Additional information, as determined by the Fire Marshal, may be required in order to clarify project details or support conformance with code provisions. The project's architect or engineer shall consult with the Fire Marshal in advance of submittal for building permit plan check to determine any required additional information.

Planning Department

<u>General</u>

37. CUP 2019-05 and SPR 2019-15 allows for the development of a six-acre property (APNs 009-331-010 & 011), including the construction of an approximately 65,000 square foot structure and the allowance for outdoor storage. Site improvements in support of the structures, including parking and drive aisles, loading docks, landscaping, and walls and fences shall be constructed as a component of site development. All development shall be in close conformance with the site plan, floor plan and elevations, as reviewed and approved by the Planning Commission.

38. Vandalism and graffiti shall be corrected per the MMC.

39. The property owner, operator and/or manager shall keep the property clear of all trash, rubbish and debris at all times, and disposal of refuse shall be restricted to the dumpster owned by the property owner.

40. The property owner, operator and/or manager shall operate in a manner that does not generate noise, odor, blight or vibration that adversely affects any adjacent properties.

41. The applicant shall comply with all federal, state and local laws. Material violations of any of those laws concerning the use may be cause for revocation of these permits.

Parcel Merge

42. The applicant shall submit an application for a lot merger within 30 days of approval of CUP 2019-06 and SPR 2019-15, wherein all properties associated with CUP 2019-06 and SPR 2019-15 shall be merged into one contiguous parcel.

Building and Site Aesthetics

43. The construction of all buildings approved as part of SPR 2019-15 shall be in close conformance with the elevation drawings, as reviewed and approved by the Planning Commission.

44. The construction of buildings approved as part of SPR 2019-15 shall be consistent with an approved color and materials board and representative color section rendering of the proposed buildings to be reviewed and approved by the Planning Manager. Any substantial alteration shall require Planning Commission approval.

45. Prior to the issuance of building permits, the applicant shall identify on the site plan the following information for Planning Department review and approval:

- The location of all-natural gas and electrical utility meter locations
- The location of all HVAC (heating, ventilation or air conditioning) equipment
- The location of all compressor equipment, and mechanical and electrical equipment

46. All electrical/mechanical equipment shall be located within an electrical/mechanical room in the interior of the structure, with exception to transformers.

47. The specifications and types of exterior lighting fixtures to be installed on the site shall be submitted to and approved by the Planning Department prior to issuance of building permits. All exterior lighting shall be directed away from adjoining properties and not interfere with the driving safety of vehicular traffic. Exposed bulbs will not be permitted.

48. All parking lot lighting shall be incorporated into landscaped areas.

49. The developer shall contact the City Engineer when all site lighting is operational. Additional light screening may be required.

50. Roof access ladders shall be located within the interior of the building.

Landscaping

51. A detailed landscaping and irrigation plan shall be prepared by a licensed landscape architect and submitted to and approved by the Planning Department prior to issuance of building permits. The plan shall include:

- Demonstration of compliance with the State of California Model Water Efficient Landscape Ordinance.
- Landscaped areas shall be developed along all street frontages and within parking fields.
- Landscaped areas are to be provided with permanent automatic irrigation systems.
- Shade trees shall be planted every 40 feet in the landscaped area along the Pecan Avenue, Victory Lane and Independence Drive frontages.
- A detailed planting list for landscaping, with the number, size, spacing (where applicable) and specie of all plantings shall be included as part of the approved landscaping plan prepared by a licensed landscape architect.

52. On-site and off-site landscaping and irrigation shall not be installed until plans are approved by the Engineering Department and the Parks and Community Services Department. Any deviation shall require prior written request and approval. Removal or modification shall be at developer's expense.

53. The property owner shall maintain all landscaping in a healthy and well-manicured appearance to achieve and maintain the landscaping design that was approved by the city. This includes, but is not limited to, ensuring properly operating irrigation equipment at all times, trimming and pruning of trees and shrubs, mowing lawns consistent with industry standards, and replacing dead or unhealthy vegetation.

Parking

54. Parking stalls shall be developed in close conformance with the approved site plan drawings.

55. All parking and loading areas shall be marked and striped to city standards: Perpendicular (90 degree) parking spaces shall measure a minimum of nine feet wide by nineteen feet deep. No compact stalls shall be incorporated into the parking field. Minimum drive aisle/backing/maneuvering space is 26 feet.

56. On-site parking shall be provided at all times in conformance with the MMC. Further expansion of the use or additional or accessory uses may require the provision of additional parking spaces in compliance with city standards prior to establishment of the use. All required parking shall be permanently maintained with all parking spaces to be shown on plans submitted for building permits. Any modifications in the approved parking layout shall require approval by the Planning Department.

Signage

57. Signage shall be in accordance with city standards, and all signing shall be reviewed and approved by the Planning Department prior to issuance of a separate sign construction permit which may be required by the Building Department.

58. Address sign designs shall be approved by the Planning Department prior to issuance of building permits.

59. All proposed construction announcement sign uses shall conform to the sign ordinance.

Walls and Fences

60. A trash enclosure shall be constructed of masonry block consistent with city standards with a finish color to match the primary structure. The final location of the trash enclosure shall be determined by the Public Works Director.

61. A six-foot tall privacy fence is approved as a component of site design, to be located consistent with the approved site plan drawings, as reviewed and approved by the Planning Commission.

62. The security gate at the driveway approach on Victory Lane shall be open during regular business hours and closed outside of regular business hours.

Madera Irrigation District

63. The existing MID pressure manhole elevation shall be consistent with the new site finish elevation grade.

64. The existing MID pressure manhole pipe shall be relocated within a landscaped area, if abdicable, or removed and plugged.

San Joaquin Valley Air Pollution Control District

65. The applicant shall comply with the rules and regulations of the San Joaquin Valley Air Pollution Control District.

(OR)

Motion 2: Move to continue the public hearing on CUP 2019-06 and SPR 2019-15 to the June 11, 2019 Commission hearing, for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for CUP 2019-06 and SPR 2019-15, based on the following findings: (specify)

ATTACHMENTS

Attachment 1: Aerial Map
Attachment 2: Initial Study and Negative Declaration
Attachment 3: Site Plan, Floor Plan and Elevations

Attachment 1: Aerial Map

Attachment 2: Initial Study and Negative Declaration

Attachment 3: Site Plan, Floor Plan and Elevations

I. BACKGROUND AND PROJECT DESCRIPTION

1. **Application No.:**
Conditional Use Permit 2019-06 and Site Plan Review 2019-15

2. **Project Title:**
TranPak

3. **Lead Agency Name and Address:**
City of Madera, 205 W. 4th St., Madera, CA 93637

4. **Contact Person and Phone Number:**
Robert Holt – (559) 661-5434

5. **Project Location:**
Northeast corner of Pecan Avenue and Victory Lane

6. **Project Applicant's/Sponsor's Name and Address:**
TranPak

7. **General Plan Designation:**
I (Industrial)

8. **Zoning:**
I (Industrial)

9. **Project Background:**
The proposal is an application for a conditional use permit and site plan review to allow for the construction of a tilt-up concrete warehouse structure that encompasses approximately 65,000 square feet in conjunction with the establishment of a plastic pallet manufacture and distribution business. The conditional use permit will allow for outdoor storage.

10. **Public Agencies Whose Approval or Review Is Required:**
Madera Irrigation District and San Joaquin Valley Air Pollution Control District.

11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.31?**

California Native American tribes traditionally and culturally affiliated with the project area did not request consultation pursuant to Public Resources Code Section 21080.31.

II. ENVIRONMENTAL SETTING

The project site is located within Freedom Industrial Park at the northeast corner of Pecan Avenue and Victory Lane. The site is generally surrounded by vacant industrial land and industrial development to the north, south and west. Madera South High School is located immediately to the east.

III. ENVIRONMENTAL CHECKLIST

Environmental Factors Potentially Affected by the Project: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

✓	Aesthetics		Agricultural and Forest Resources	✓	Air Quality
	Biological Resources		Cultural Resources	✓	Energy
	Geology / Soils	✓	Greenhouse Gas Emissions		Hazards and Hazardous Materials
	Hydrology / Water Quality		Land Use / Planning		Mineral Resources
	Noise	✓	Population / Housing		Public Services
	Recreation	✓	Transportation		Tribal Cultural Resources
✓	Utilities/Service Systems		Wildfire		Mandatory Findings of Significance

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				✓
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				✓
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	

Discussion

The project would not affect a scenic vista or have an overall adverse visual impact on the immediate area. The project would not affect a scenic highway and would not have an overall adverse visual impact on any scenic resources. The project would result in some sources of light, including the addition of new street lights, and the anticipated residential development will add additional sources of light. The project would conform with and incorporate General Plan policies and requirements. No additional analysis is required.

Less than Significant Impacts

d) There will be an increase in light and glare and other aesthetic impacts associated with the development as a result of the project, although it will be a less than significant impact upon implementation of City standards. The overall impact of additional light and glare will be minimal.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
No Impacts a) The project will not result in the obstruction of federal, state or locally classified scenic areas, historic properties, community landmarks or formally classified scenic resources, such as a scenic highway, national or state scenic area, or scenic vista. b) The project will not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. c) The project is located in an urbanized area and would not conflict with the applicable zoning and other regulations governing scenic quality.				
2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement Methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				✓

Discussion

The project site is located on land identified as "Grazing Land" on the 2016 California Farmland Mapping and Monitoring Program map.

No Impacts

a) The project would not convert prime farmland, unique farmland, or farmland of statewide importance (as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency) to non-agricultural use. The project site is identified as "Grazing Land" on the 2016 California Farmland Mapping and Monitoring Program map, which includes land on which the existing vegetation is suited to the grazing of livestock. The project site has been identified for industrial uses within the City of Madera General Plan, and the land is not currently being utilized for agricultural or grazing purposes. The project was subdivided for the purpose of an industrial park (Freedom Industrial Park) to house a variety of industrial-type uses.

b) The project would not conflict with existing zoning for agricultural use and there are no Williamson Act contracts affecting the subject property.

c) The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production because the project property is not defined as forest land (as defined by Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).

d) The project would not result in the loss of forest land or conversion of forest land to a non-forest use because the parcel is not defined as forest land (as defined by Public Resources Code Section 12220(g)).

e) The project, which will develop an approximately 60,000 square foot industrial warehouse, will not involve other changes in the existing environment, due to the

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
project property's location or nature, that would result in the conversion of Farmland to a non-agricultural use or conversion of forest land to non-forest use.				
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			✓	
c) Expose sensitive receptors to substantial pollutant concentrations?			✓	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?			✓	

Discussion

The project site is located within the San Joaquin Valley Air Basin (SJVAB). Air quality conditions in the SJVAB are regulated by the San Joaquin Valley Air Pollution Control District (SJVAPCD). The region is classified as a State and Federal non-attainment area for PM10 (airborne particulate matter with an aerodynamic diameter of less than 10 microns), and ozone (O3).

Air quality is determined by the type and amount of contaminants emitted into the atmosphere, the size and topography of the SJVAB, and its meteorological conditions. National and state air quality standards specify the upper limits of concentrations and duration in the ambient air for O3, CO, nitrogen dioxide (NO2), PM10, sulfur dioxide (SO2) and lead (Pb). These are "criteria pollutants." The SJVAPCD also conducts monitoring for two other state standards: sulfate and visibility.

The State of California has designated the project site as being a severe non-attainment area for 1-hour O3, a non-attainment area for PM10, and an attainment area for CO. The EPA has designated the project area as being an extreme non-attainment area for 1-hour O3, a serious non-attainment area for 8-hour O3, a serious non-attainment area for PM10, and a moderate maintenance for CO.

The project would not conflict with or obstruct the implementation of applicable Regional Air Quality Control Plans.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Similarly, the project will be evaluated to determine required compliance with District Rule 9510, which is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit and Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. Demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit would be made a condition of project approval.

Short-term construction impacts on air quality, principally from dust generation, will be mitigated through watering. The project would not create substantial air emissions or deterioration of ambient air quality, and the development will be subject to SJVAPCD review. Construction equipment will produce a small amount of air emissions from internal combustion engines and dust. The project will not violate any air quality standard or substantially contribute to an existing or projected air quality violation. The project will not result in a considerable net increase in non-attainment pollutants in this area. The project will not expose sensitive receptors to any significant amount of pollutants. The project will not create any objectionable odors.

The proposed General Plan amendment and rezoning for the project site, and the development of the project site will not create impacts beyond those analyzed and addressed through the General Plan Update and the accompanying environmental impact report. All phases of site development will conform with and incorporate General Plan policies and requirements. All phases of development will similarly conform with and implement regional air quality requirements. No additional analysis is required. Any unique features or project impacts which are identified as specific projects are proposed within the project site will be evaluated and addressed on a project-by-project basis.

Less than Significant Impacts

a) According to the San Joaquin Valley Air Pollution Control District (SJVAPCD), the project is subject to some District Rules, including District Rule 9510. The project will not conflict with or obstruct implementation of the applicable air quality plan.

b) According to the SJVAPCD, the project would have a less than significant impact on air quality when compared to the significance thresholds of the following annual criteria pollutant emissions: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides in nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5).

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) The project would not expose sensitive receptors to substantial pollutant concentrations. d) The project will include warehouse operations that involve the manufacturing and distribution of plastic pallets and bins that will be located in an industrial park that is not in close proximity to any current or future residential development. The development of the project would not result in other emissions, such as those leading to odors adversely affecting a substantial number of people.				
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✓
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✓
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

Discussion

With the preparation of the City of Madera General Plan, no threatened or endangered species were identified in the project area. There is no record of special-status species in the project area. Development of the project area is consistent with the urbanization of the Madera area, as evaluated in the General Plan and its EIR; therefore, impacts in this category are not anticipated to exceed the impacts addressed in those documents.

The project site is void of any natural features, such as seasonal drainages, riparian or wetland habitat, rock outcroppings, or other native habitat or associated species. Development of the site would not conflict with any local policies or ordinances protecting biological resources, or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

No Impacts

a) The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

b) The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

c) The project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

d) The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. f) The project does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.				
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?				✓
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				✓
c) Disturb any human remains, including those interred outside of formal cemeteries?				✓

Discussion

The project does not have the potential to cause a physical change that would affect unique historic, ethnic, or cultural values. The project would not disturb any archaeological resources. The project would not disturb any unique paleontological or geologic resources. The project would not disturb any human remains. In the event any archaeological resources are discovered during project construction, all activities shall cease and the Community Development Department shall be notified so that the procedures required by State law may be applied.

No Impacts

a) The project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 because there are no known historical resources located in the affected territory.

b) The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 because there are no known archaeological resources located in the affected territory.

c) The project would not disturb any human remains, including those interred outside of formal cemeteries, because there are no known human remains located in the affected territory. When development occurs in the future and if any remains are discovered, the requirements of CEQA that regulate archaeological and historical resources (Public

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Resources Code Section 21083.2 and 21084.1), and all local, state, and federal regulations affecting archaeological and historical resources would be complied with.				
6. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			✓	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				✓
Less than Significant Impacts a) The project could utilize inefficient or unnecessary consumption of energy resources during project construction or operation, but because the project will be built to comply with Building Energy Efficiency of the California Building Code (Title 24), the project will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. **No Impacts** b) State and local authorities regulate energy use and consumption. These regulations at the state level intended to reduce energy use and greenhouse gas (GHG) emissions. These include, among others, Assembly Bill (AB) 1493 – Light-Duty Vehicle Standards, California Code of Regulations Title 24, Part 6 – Energy Efficiency Standards, California Code of Regulations Title 24, Part 11 – California Green Building Standards. The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.				
7. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Mines and Geology Special Publication 42.				
ii. Strong seismic ground shaking?				✓
iii. Seismic-related ground failure, including liquefaction?				✓
iv. Landslides?				✓
b) Result in substantial soil erosion or the loss of topsoil?				✓
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				✓
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓

Discussion

There are no known faults on the project site or in the immediate area. The project site is subject to relatively low seismic hazards compared to many other parts of California. Potential ground shaking produced by earthquakes generated on regional faults lying outside the immediate vicinity in the project area may occur. Due to the distance of the known faults in the region, no significant ground shaking is anticipated on this site. Seismic hazards on the built environment are addressed in The Uniform Building Code that is utilized by the City of Madera Building Division to monitor safe construction within the City limits.

No Impacts

a)

i. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving the rupture of a

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. No known faults with evidence of historic activity cut through the valley soils in the project vicinity. The major active faults and fault zones occur at some distance to the east, west and south of the project site. Due to the geology of the project area and its distance from active faults, the potential for loss of life, property damage, ground settlement, or liquefaction to occur in the project vicinity is considered minimal.

ii. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking. Ground shaking generally decreases with distance and increases with the depth of unconsolidated alluvial deposits. The most likely source of potential ground shaking is attributed to the San Andreas, Owens Valley, and the White Wolf faults. Based on this premise and considering the distance to the causative faults, the potential for ground motion in the vicinity of the project site is such that a minimal risk can be assigned.

iii. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction. Liquefaction describes a phenomenon in which a saturated soil loses strength during an earthquake as a result of induced shearing strains. Lateral and vertical movement of the soil mass combined with loss of bearing usually results. Loose sand, high groundwater conditions (where the water table is less than 30 feet below the surface), higher intensity earthquakes, and particularly long duration of ground shaking are the requisite conditions for liquefaction.

iv. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides.

b) The project would not result in substantial soil erosion or the loss of topsoil. Construction of urban uses would create changes in absorption rates, drainage patterns, and the rate and amount of surface runoff on the selected project site. Standard construction practices that comply with the City of Madera ordinances and regulations, the California Building Code, and professional engineering designs approved by the Madera Engineering Department will mitigate any potential impacts from future urban development, if any.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) The project would not be located on a geologic unit or soil that is unstable as a result of the project, and not potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. d) The project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), not creating substantial direct or indirect risks to life or property. e) The project would not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. The City of Madera would provide necessary sewer and water systems upon project approval. f) The project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.				
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

Discussion

Climate change is a public health and environmental concern around the world. Globally, temperature, precipitation, sea level, ocean currents, wind patterns, and storm activity are all affected by the presence of greenhouse gas (GHG) emissions in the atmosphere. Human activity contributes to emissions of six primary GHG gases: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. Human-caused emissions of GHGs are linked to climate change.

In 2006, the California State Legislature adopted AB32, the California Global Warming Solutions Act of 2006, which aims to reduce GHG emissions in California. GHGs, as defined by AB 32, includes carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. AB 32 requires the California Air Resources Board (ARB), the State agency which regulates statewide air quality, to adopt rules and regulations that would achieve GHG emissions equivalent to 1990 statewide levels by 2020.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
As part of the 2011 City of Madera General Plan update, the Conservation Element includes several goals, policies and programs in the Air Quality, GHG Emissions and Climate Change sections which address and promote practices that meet or exceed all state and federal standards and meet or exceed all current and future state-mandated targets for reducing GHG emissions. The City also requires applicants for all public and private development integrate appropriate methods that reduce GHG emissions consistent with the Energy and Green Building sections of the Conservation Element, General Plan Policy CON-40 through 46. **Less than Significant Impacts** a) The project would not, by itself, generate significant GHG emissions or contribute to global warming because the new development that is proposed will be required to adhere to local, regional and state regulations. b) The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.				
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✓
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ miles of an existing or proposed school?				✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				✓

Discussion

The project will not create hazards or expose people or property to hazardous conditions. The anticipated development will be consistent with the General Plan.

No impacts

a) The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

b) The project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

c) The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ miles of an existing or proposed school.

d) The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, it would not create a significant hazard to the public or the environment.

e) The project site is not located within the Madera Countywide Airport Land Use Compatibility Plan or any other airport land use plan and the project would not result in a safety hazard for people residing or working in the project area.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. g) The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildfires.				
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				✓
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				✓
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i. Result in substantial erosion or siltation on- or off-site;				✓
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				✓
iii. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or				✓
iv. Impede or redirect flood flows?				✓
d) In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?				✓
e) Conflict with or obstruct implementation of a water quality control plan or				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
sustainable groundwater management plan?				

Discussion

The project would not violate any water quality standards or waste discharge requirements. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. Services will be provided in accordance with the City's Master Plans. The project would not change any drainage patterns or stream courses, or the source of direction of any water movement. During construction, the project site may be exposed to increased soil erosion from wind and water. Dust control would be used during construction. With completion of the project, the project would not bring about erosion, significant changes in topography or unstable soil conditions.

The project would not expose people or property to water-related hazards. Standard construction practices and compliance with City ordinances and regulations, The Uniform Building Code, and adherence to professional engineering design approved by the Madera Engineering Department would mitigate any potential impacts from this project. This development would be required to comply with all City ordinances and standard practices which will assure that storm water would be adequately drained into the approved storm water system. The project would not create any impacts on water quality.

Based on a review of the City's FEMA maps, the site is located in Zone X and the project would not place housing or other land uses in a 100-year flood hazard area. These areas outside of the 500-year flood area. The project would not expose people or structures to a significant risk because of dam or levee failure. The project would not expose people or structures to a significant risk because of a seiche, mudflow, or tsunami.

No Impacts

a) The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. The development of the project site will be required to comply with all City of Madera ordinances and standard practices which assure proper grading and storm water drainage into the approved storm water systems. Any development will also be required to comply with all local, state, and federal regulations to prevent any violation of water quality standards or waste discharge requirements.

b) The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) i. The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would not result in substantial erosion or siltation on- or off-site. ii. The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. iii. The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. iv. The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would not impede or redirect flood flows. d) The project is not located in flood hazard, tsunami or seiche zones and it will not risk release of pollutants due to project inundation. e) The project does not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.				
11. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?				✓
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Discussion Development of the project site is consistent with the urbanization of the project site, as evaluated in the General Plan and its EIR; therefore, impacts in this category are avoided. **No Impacts** a) The project would not physically divide an established neighborhood. The project logically allows development to occur in an orderly manner, adjacent to future urban development. b) The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.				
12. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓
No Impacts a) The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. b) The project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.				
13. NOISE: Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?				✓
b) Generation of excessive ground borne vibration or ground borne noise levels?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓

Discussion

These potential impacts were addressed in the General Plan EIR, and goals and mitigation measures were adopted to reduce potential impacts to a less than significant level. Development of the project area is consistent with the urbanization of the Madera area, as evaluated in the General Plan, and its EIR; therefore, impacts in this category are not anticipated to exceed the impacts addressed in these documents.

No Impacts

a) The project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.

b) The project would not generate excessive ground borne vibration or ground borne noise levels.

c) The project site is not located within the vicinity of a private airstrip or an airport land use plan, and the project would not expose people residing or working in the project area to excessive noise levels.

14. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Discussion

The proposed project would not induce additional substantial growth in this area. The project site would not displace any housing. Likewise, the project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Less than Significant Impacts

a) The project does induce unplanned population growth in the area directly with the establishment of a business that anticipates 50 employees, but the growth will not be substantial.

No Impacts

b) The project will not displace substantial numbers of existing people or housing which will not necessitate the construction of replacement housing elsewhere.

15. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physical altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
a) Fire protection?				✓
b) Police protection?				✓
c) Schools?				✓
d) Parks?				✓
e) Other public facilities?				✓

Discussion

The development of the project site would not result in substantial adverse physical impacts from new or altered public facilities. As development occurs, there would be a resultant increase in job opportunities, and a greater demand placed upon services, such as fire and police protection, and additional park and school facilities. This additional demand is consistent with the demand anticipated in the General Plan and evaluated in the General Plan EIR.

The project would not bring about the need for new wastewater treatment facilities. The project would not significantly increase the demand on water supplies beyond the levels anticipated in the General Plan and the Water Master Plan. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. The project would not increase the need for additional storm water drainage facilities beyond the existing and master planned drainage basin facilities that are planned to serve the project area. The project area would be required to provide additional facilities within the development, and comply with the City's Master Plan, ordinances and

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
standard practices. The project would not bring about a significant increase in the demand for solid waste disposal services and facilities. **No Impacts** a) The project would not result in substantial adverse physical impacts to fire protection services. b) The project would not result in substantial adverse physical impacts to fire protection services. c) The project would not result in substantial adverse physical impacts to school services. d) The project would not result in substantial adverse physical impacts to park facilities. e) The project would not result in substantial adverse physical impacts on other public facilities.				
16. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓
Discussion Industrial development is consistent with the City of Madera General Plan and Zoning Ordinance. Impacts in this category are not anticipated to exceed the impacts addressed in those documents. **No Impacts** a) The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) The project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.				
17. TRANSPORTATION. Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				✓
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			✓	
c) Substantially increase hazards due to a geometric design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?				✓
d) Result in inadequate emergency access?				✓

Discussion

The project site was included in the General Plan and its accompanying EIR and the potential traffic generated from the eventual development of this land is considered. The goals and policies of the General Plan serve to mitigate traffic impacts that occur as a result of new development.

No Impacts

a) The project would not conflict with any program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. All pedestrian walkways will be constructed consistent with the City of Madera Engineering and Americans with Disabilities Act (ADA) standards.

b) The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). The project would be located within a one-half mile radius of the construction of the new intermodal transit station in Freedom Industrial Park, but per Section 15064.3(b) it is presumed to have less than significant transportation impacts.

c) The project would not substantially increase hazards due to a geometric design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment).

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) The project would not result in inadequate emergency access.				
18. Tribal Cultural Resources. Would the project:				
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as de3fined in Public Resources Code section 5020.1(k), or				✓
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe				✓

No Impacts

a) The project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and the project is not listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).

b) The project is not a resource determined by the lead agency (City of Madera), in its discretion and supported by substantial evidence, to be significant pursuant to criteria

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
set forth in subdivision (c) of Public Resources Code Section 5024.1. The project site is not listed as a historical resource in the California Register of Historical Sources.				
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or which could cause significant environmental effects?			✓	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				✓
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				✓
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				✓
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				✓

Discussion

The City's community sewage disposal system would continue to comply with Discharge Permit requirements. The project would not bring about the need for new wastewater treatment facilities. The project would not significantly increase the demand on water supplies, adequate domestic water and fire flows should be available to the property. There would not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. The project would not increase the need for additional storm water drainage facilities beyond the existing and master planned drainage basin facilities that are planned to serve the project. The project site would be required to comply with the City's Master Plan, ordinances and standard practices. The project would not bring about a significant increase in the demand for solid waste disposal services and facilities.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Less than Significant Impacts a) The project would require the construction of new water and storm water drainage facilities, but the construction would not cause significant environmental effects. **No Impacts** b) The project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. c) The project would result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. d) The project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. e) The project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.				
20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response lan or emergency evacuation?				✓
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				✓
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				✓
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
result of runoff, post-fire slope instability, or drainage changes?				

Discussion

The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The project will be developed consistent with all regulations of the California Fire Code and would provide no impact to wildfire hazards.

No Impacts

a) The project would not substantially impair an adopted emergency response lan or emergency evacuation.

b) The project would not, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

c) The project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

d) The project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

21. MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
e) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				✓
f) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)				
g) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				✓

Discussion

Based upon staff analysis and comments from experts, it has been determined that the proposed project could generate some limited adverse impacts in the areas of Aesthetics, Air Quality, Energy, Greenhouse Gas Emissions, Population and Housing, Transportation, and Utilities and Service Systems.

The potential impacts identified in this Initial Study are considered to be less than significant since they will cease upon completion of construction or do not exceed a threshold of significance. Therefore, a Negative Declaration is the appropriate level of documentation for this project.

No Impacts

a) The project would not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

b) The project would not have cumulatively considerable impacts that are beyond less than significant.

c) The project would not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

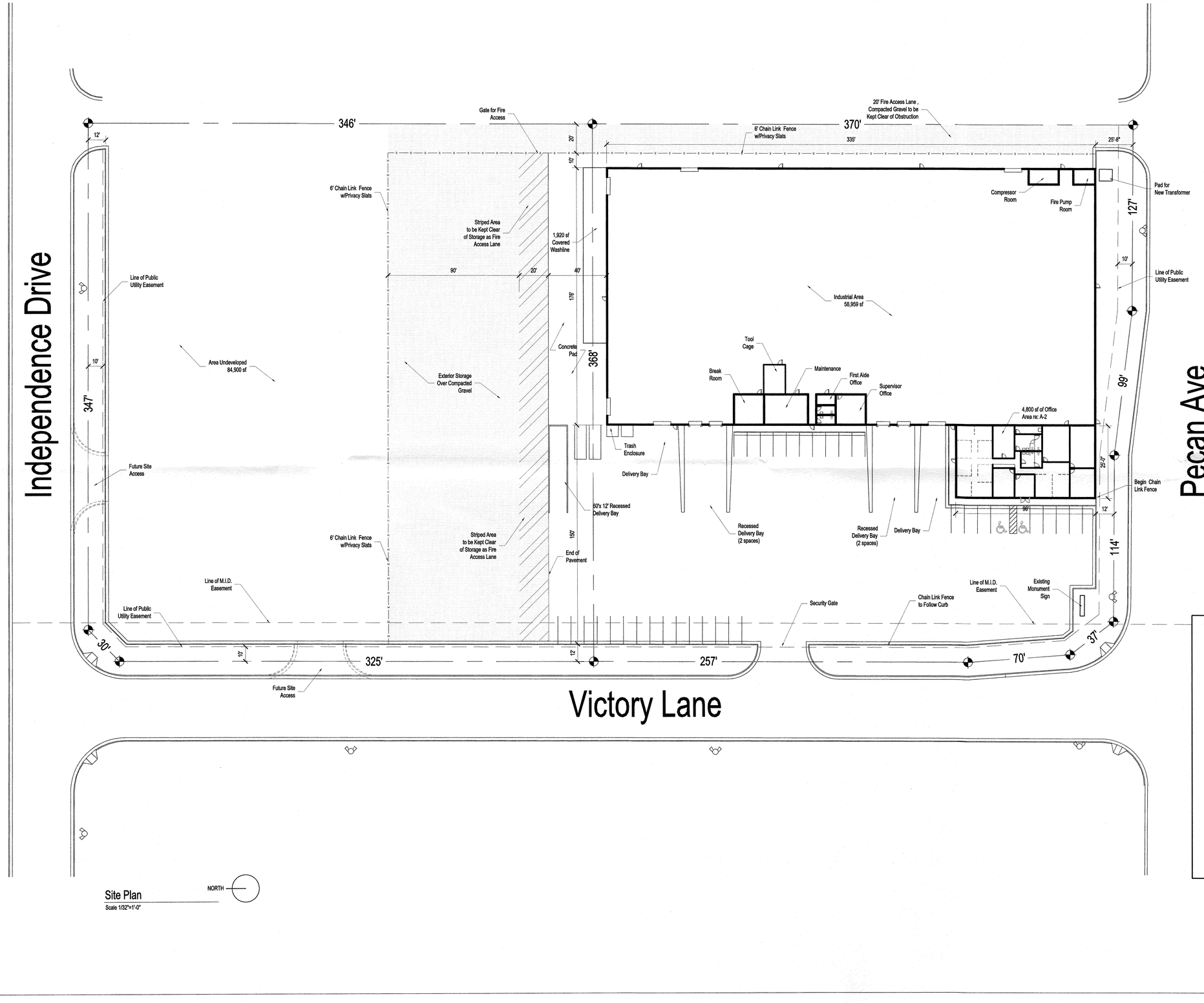
IV. DETERMINATION

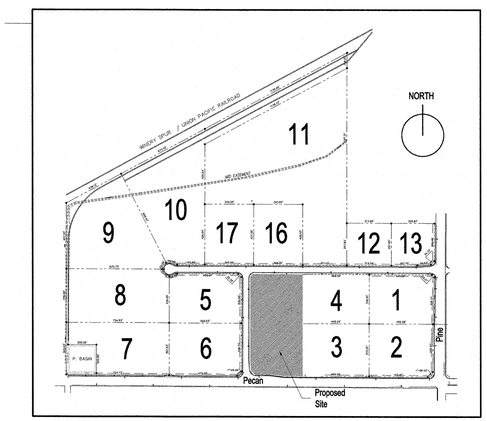
On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	✓
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Signature: _____ Date: _____

Print: _____





Vicinity Map

Drawing Index

Project Information

Project Location: Lots 14 and 15 of the Freedom Industrial Park
Type 1 Construction
Type F Occupancy
Sprinklers Provided
Land Area : 260,211 sf
- Industrial Building Area 58,959 sf
- Office Area 4,800 sf
- Additional Covered Area 1,920 sf

Parking Requirements
- 30 Employees =15 spaces
- 4,800 sf/ 300 = 16 spaces
- 31 Required, 34 Provided (2 Handicapped)
- Trailer Parking Required = 1 per 10,000sf
- 7 Spaces Provided

Contact Information

Owner: Tranpak
Christian Ueland
2860 S E Ave, Fresno CA 93725
559/ 425- 0100

Contractor: Span Consruction
Roger Acres
1841 Howard Rd, Madera CA 93637
559/ 661- 1111

rev	date

BUTLER

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SAN LUIS OBISPO
MADERA CALIFORNIA 93637
MADERA (559) 661-1111
FAX (559) 673-0600
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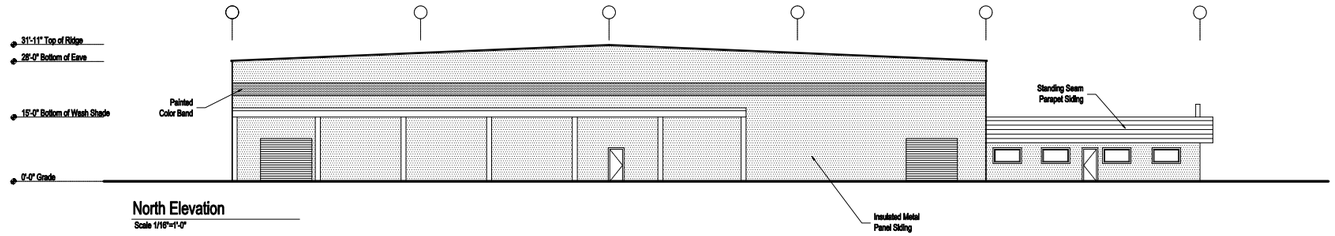
SPAN
CONSTRUCTION & ENGINEERING INC.

Professional Certification

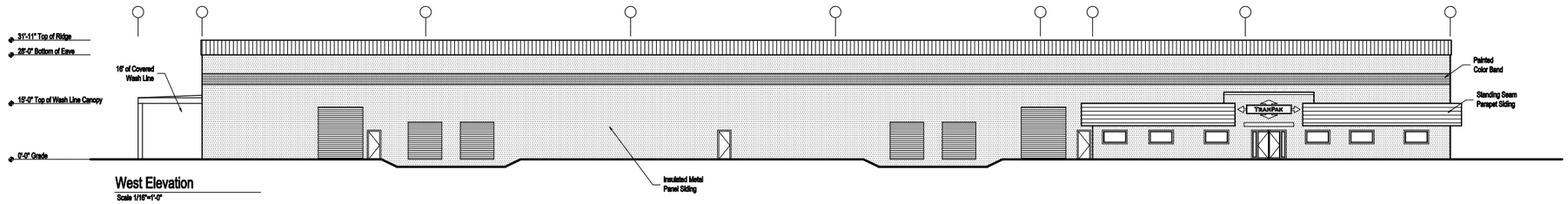
PROJECT
Freedom Industrial Park
TranPak
Pecan Avenue & Victory Lane Madera, CA 93637

date	5/3/2019
drawn	JF
checked	checked
JOB NUMBER	01-44-06769
	SITE PLAN
SHEET	A-1



North Elevation

Scale 1/16"=1'-0"



West Elevation

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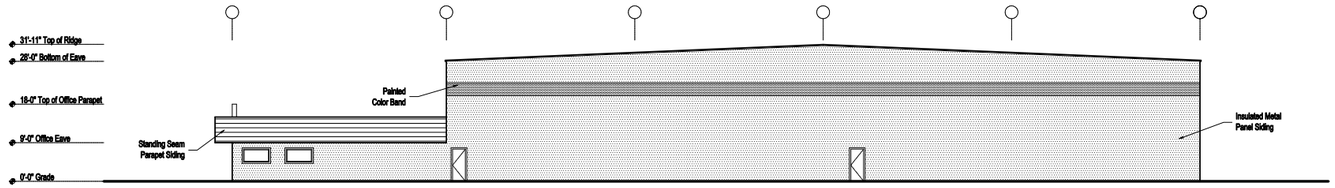

South Elevation

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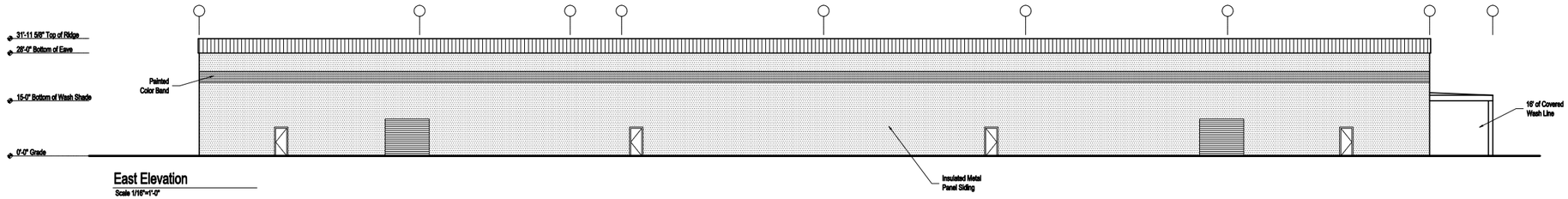

East Elevation

Scale 1/16"=1'-0"

rev	date

BUTLER

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FAX (559) 661-1000
FRESNO (559) 268-8000

SPAN
CONSTRUCTION & ENGINEERING INC.

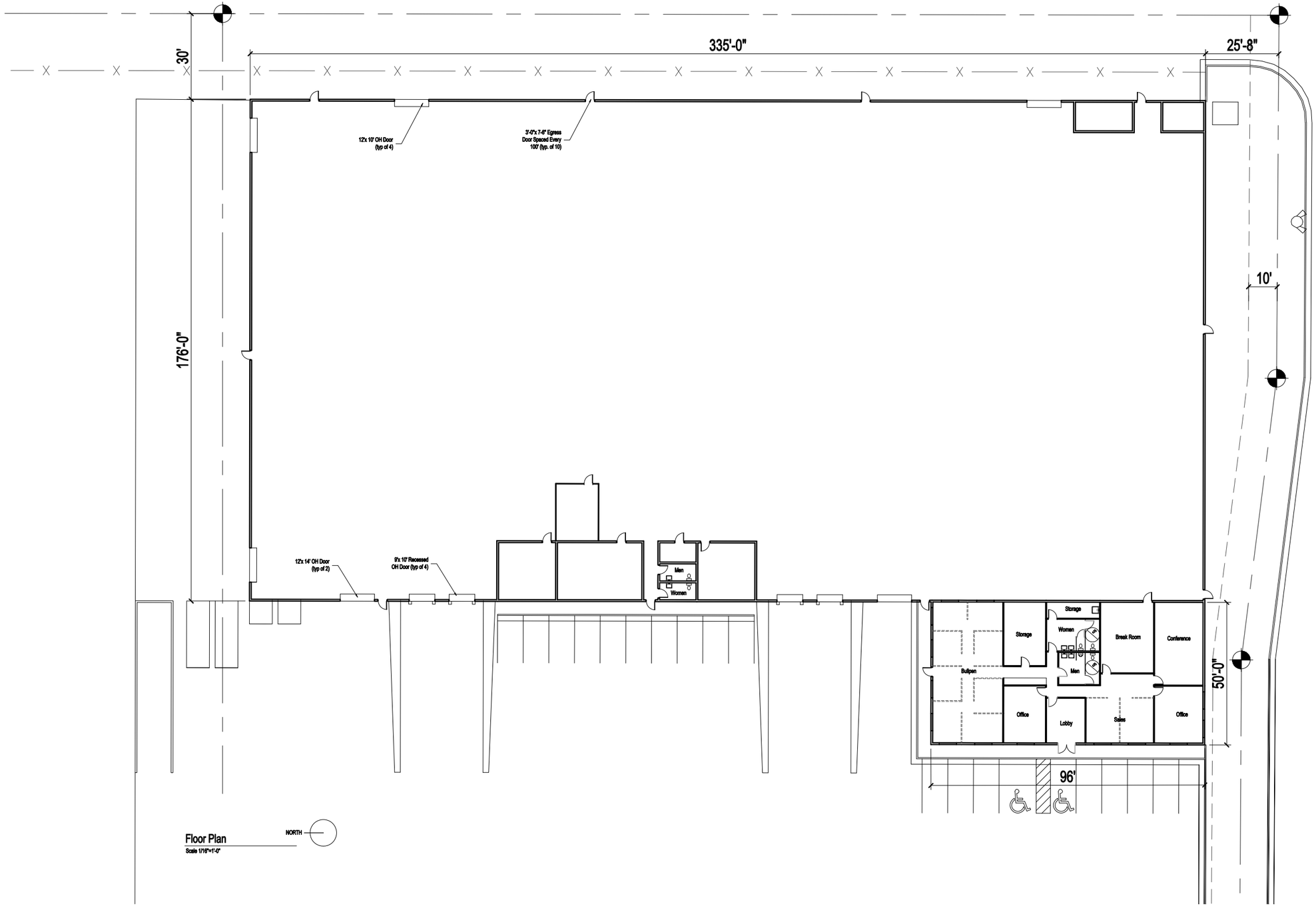
Professional Certification

PROJECT
Freedom Industrial Park
TranPak
Pecan Avenue & Victory Lane Madera, CA 93637

date	5/3/2019
drawn	JF
checked	checked
JOB NUMBER	01-44-06769

EXTERIOR ELEVATIONS

SHEET
A-3



Floor Plan

Scale 1/16"=1'-0"

rev	date

BUTLER

CONT. LIC. # 990683
1941 HOWARD RD.
MADERA CALIFORNIA 93637
MADERA (559) 661-1111
FAX (559) 661-1000
FRESNO (559) 268-8000

SPAN
CONSTRUCTION & ENGINEERING INC.

Professional Certification

PROJECT
Freedom Industrial Park
TranPak
Pecan Avenue & Victory Lane Madera, CA 93637

date	5/3/2019
drawn	JF
checked	
checked	
JOB NUMBER	01-44-06799

FLOOR PLAN

SHEET
A-2