

**REGULAR MEETING AGENDA
CITY OF MADERA
PLANNING COMMISSION**

**CITY HALL – COUNCIL CHAMBERS
TUESDAY
November 12, 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, but are not required, to identify themselves and state the subject of their comments. If the subject is an item on the Agenda, the Chairperson has the option of asking the speaker to hold the comment until the hearing is opened. 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: None

CONSENT ITEMS: None

PUBLIC HEARING ITEMS:

1. PPL 2019-05 & VAR 2019-04 – Linden Apartments

A noticed public hearing to consider a precise plan to allow for the development of a 29-unit multifamily residential complex on one acre located approximately 400 feet north of the northeast corner of the intersection of Sunset Avenue and Linden Street in the PD-1500 (Planned Development) Zone District with a HD (High Density) General Plan land use designation (APN: 006-250-014). A Negative Declaration will be also be considered by the Planning Commission.

2. PPL 2019-06 & VAR 2019-05 – Eagle Meadows Apartments

A noticed public hearing to consider a precise plan to allow for the development of a 106-unit multifamily residential complex on 3.67 acres located in proximity to the southwest corner of the intersection of Ellis and Merced Streets in the PD-1500 (Planned Development) Zone District with an HD (High Density) General Plan land use designation (Multiple APNs). A Negative Declaration will also be considered by the Planning Commission. **This item will be continued to the December 10, 2019 Planning Commission hearing.**

3. REZ 2019-05 & PPL 2019-08 – Parra Fourplex

A noticed public hearing to consider a rezone from the C1 (Light Commercial) to the PD-3000 (Planned Development) Zone District and a precise plan to allow for the development of a 4-unit multifamily residential complex on property located approximately 450 feet north of the intersection of Owens Street and Sherwood Way with an MD (Medium Density) General Plan land use designation (APN: 003-210-029). A Negative Declaration will also be considered by the Planning Commission.

4. PPL 2019-07 – Sherwood Apartments

A noticed public hearing to consider a precise plan to allow for the development of a 16-unit multifamily residential complex on 1.43 acres located approximately 250 feet east of the northeast corner of the intersection of Sherwood Way and Owens Street in the PD-3000 (Planned Development) Zone District with an MD (Medium Density) General Plan land use designation (APN: 003-240-015). A Negative Declaration will also be considered by the Planning Commission.

5. VAR 2019-06 & SPR 2019-24 – Naz Sixplex

A noticed public hearing to consider a variance from the open space requirements of the Madera Municipal Code and a site plan review for the conversion of a former adult education building into a 6-unit multifamily residential complex on property located on the southeast corner of the intersection of South I Street and West 6th Street (322 West 6th Street) in the R3 (High Density) Zone District with a HD (High Density) General Plan land use designation (APN: 010-132-001). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).

6. CUP 2019-23 & SPR 2019-23 – Loan’s Massage

A noticed public hearing to consider a conditional use permit and site plan review to allow for the establishment of a massage parlor on property located approximately 150 feet east of the southeast corner of the intersection of Howard Road and Dwyer Street, to the rear of the Courtyard Business Professional Center, (1816 Howard Road Suite 7), in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 009-191-007). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).

7. CUP 2019-11 & SPR 2019-18 – 610 N. E Street Automotive Uses

A noticed public hearing to consider a conditional use permit and site plan review to allow for various automotive uses throughout multiple suites of an existing building on property located on the southwest corner of the intersection of East Central Avenue and North E Street (610 North E Street) in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 007-042-001). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).

8. CUP 2019-21 & SPR 2019-26 – Los Girasoles Food Truck

A noticed public hearing to consider a conditional use permit and site plan review to allow for the establishment of a food truck to be parked on the Chevron property located on the northwest corner of the intersection of West Cleveland Avenue and the Highway 99 off-ramp (1801 West Cleveland Avenue) in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 013-110-010). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).

9. CUP 2019-18 – Central Valle’ Ink

A noticed public hearing to consider a conditional use permit to allow for the establishment of a tattoo parlor on property located on the northwest corner of the intersection of Country Club Drive and Sharon Boulevard (1130 Country Club Drive, Suite C) in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 003-194-003). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).

10. CUP 2019-22 – Stop-N-Smoke

A noticed public hearing to consider a conditional use permit to allow for the establishment of a smoke shop on property located at the northwest corner of the intersection of Country Club Drive and Sharon Boulevard (1130 Country Club Drive, Suite B) in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 003-194-003). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities). **This item will be continued to the December 10, 2019 Planning Commission hearing.**

11. CUP 2019-24 – U.S. Water

A noticed public hearing for an application for a conditional use permit to allow for the establishment of a chemical storage and distribution warehouse facility in an existing tenant suite on property located within Freedom Industrial Park approximately 1,000 feet west of the intersection of South Pine Street and Independence Drive (1955 Independence Drive) in the I (Industrial) Zone District with an I (Industrial) General Plan land use designation (APN: 009-331-018). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).

NON-PUBLIC HEARING ITEMS: None

WORKSHOPS: None

ADMINISTRATIVE REPORTS:

COMMISSIONER REPORTS:

ADJOURNMENT:

The next regular meeting will be held on December 10, 2019.

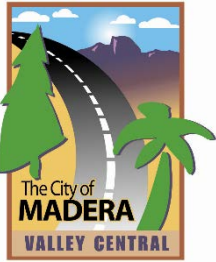
In compliance with the Americans with Disabilities Act, the meeting room is accessible to the physically disabled and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices or translators needed to assist participation 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.



**CITY OF MADERA
PLANNING COMMISSION**

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

**Staff Report: Linden Apartments
PPL 2019-05, VAR 2019-04 & Negative Declaration
Item # 1 – November 12, 2019**

PROPOSAL: Consideration of a request for a precise plan that will allow for the development of a 29-unit multifamily complex and a variance from the minimum number of parking stall requirements, and the minimum open space requirements of the PD (Planned Development) Zone District.

APPLICANT:	Ubaldo Garcia	OWNER:	Ubaldo Garcia
ADDRESS:	711 Linden Street	APN:	006-250-014
APPLICATION:	PPL 2019-05 & VAR 2019-04	CEQA:	Negative Declaration

LOCATION: The project is located approximately 400 feet north of the intersection of Sunset Avenue and Linden Street.

STREET ACCESS: The project proposes access to Linden Street.

PARCEL SIZE: Approximately one acre.

GENERAL PLAN DESIGNATION: HD (High Density)

ZONING DISTRICT: PD-1500 (Planned Development)

SITE CHARACTERISTICS: The project site is located within the Groves Neighborhood Specific Plan, which is bounded by Sunset Avenue to the south, properties east of Linden Street, properties north of West Park Drive and properties west of Laurel Street. The Groves Neighborhood includes primarily single-family development with few multifamily residential complexes.

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 a precise plan for the development of a 29-unit multifamily complex and a variance from the open space requirements of the PD (Planned Development) Zone District and the parking requirements of the Madera Municipal Code (MMC). The project's site design, architecture and open space cumulatively comply with the goals and policies of the General Plan. Granting a variance to allow for less than the minimum required amount of open space and number of parking stalls is justifiable as the static open space requirement of 750 square feet of open space for each dwelling unit for all densities in the PD Zone District makes it difficult, if not infeasible, to comply with as well as complying the General Plan's goals and policies when proposing higher density residential projects.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3-4.101 Planned Development Zones

MMC § 10-3.1401 Variances – Necessity

California Public Resources Code § 21000, California Environmental Quality Act “CEQA”

The City’s Zoning Ordinance allows for the approval of a precise plan subject to the Planning Commission (Commission) being able to make findings that the establishment, maintenance or operation of the development 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 or to the general welfare of the City.

If the Commission cannot make the appropriate findings, the development should be denied. Conditions may be attached to the approval of the precise plan 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.

A variance may be granted by the 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. Necessary conditions for granting a variance can only occur when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance deprives a property owner of privileges enjoyed by other property in the vicinity under identical zoning classifications. 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

No prior action.

ANALYSIS

Density Requirements

Development within the HD (High Density) General Plan land use designation requires a density range of between 15 and 50 units per acre. The PD 1500 (Planned Development) Zone District provides for a maximum density of one unit for each 1,500 square feet of site area. Based on the project site area, the required density range is between 22 and 29 units. The proposal of 29 units provides consistency with the policies of the General Plan’s Land Use Element specific to residential density in the HD (High Density) General Plan land use designation and the PD-1500 (Planned Development) Zone District.

Groves Neighborhood Specific Plan

Adopted in 1997, the Groves Neighborhood Plan envisioned the development of a mixed-density residential neighborhood wherein a mix of single-family and multi-family development with varying densities ultimately evolved from what had been an island of rural residential homes. Although single-family dwellings have been developed on Laurel Avenue, until now the multi-family components consistent with the vision of the Groves Neighborhood Plan have not taken form. Recently in 2017, approval of a townhome project was approved a few properties north of this project site that allows for

construction of a medium density multifamily complex. The project is consistent with and effectively implements the purpose and intent of the Groves Neighborhood Plan.

Precise Plan

Precise plans are utilized within the PD (Planned Development) Zone District to establish specific development and improvement standards for a proposed project. Precise plans address site features, such as infrastructure and services, circulation and access, appearance, landscaping and open space.

The applicant proposes 29 dwelling units encompassed within three two-story residential buildings. Of the 29 dwelling units, there are ten one-bedroom units and nineteen two-bedroom units. There are three separate open space common areas; a larger lawn area with a shade tree and seat wall around the tree, a covered lounge area with barbeque pits, and a smaller playground area.

Public Infrastructure

Public infrastructure and utilities required by the Madera Municipal Code (MMC) and the General Plan will be constructed in support of the project. Required infrastructure includes water, sewer and storm drainage infrastructure consistent with the City's master plans. Street improvements include an interior roadway.

The multifamily complex is required to be annexed into the Citywide Community Facilities District (CFD) 2005-01 to collect assessments for increased demand on fire, police, storm water drainage and parks. The properties are also required to annex into a lighting and landscape maintenance district.

General Plan Conformance

Any project involving new construction requires consistency with the City of Madera's General Plan goals and policies. There are a multitude of goals and policies specific to each type of use in the City, such as residential, commercial, industrial, etc. The proposal of a new residential multifamily complex requires analysis of the General Plan's goals and policies specific to residential development including site design, architecture, landscaping and open space.

Site Design

Applicable Policies

Policy CD-2 All new development shall adhere to the basic principles of high-quality urban design, architecture and landscape architecture including, but not limited to, human-scaled design, pedestrian orientation, interconnectivity of street layout, siting buildings to hold corners, entryways, gathering points and landmarks.

Policy CD-4 Site layout and building design shall take into consideration Madera's warm, dry climate, by including trees, landscaping and architectural elements to provide shade.

Policy CD-29 All housing units shall be oriented to the street, parks, or a shared common area.

The site layout proposes the residential complex with all open space common areas primarily at the northern half of the property. Drive aisles and the parking field surround the residential complex to the south and east.

There are two pedestrian paths of travel that connect to the residential complex; one at the western end abutting the street frontage and one at the southern end centrally located for parking stalls to the south. Staff has had discussion with the applicant the lack of pedestrian connectivity on the east end of the project. The applicant is adamant in that walking around to the southern-central entrance is not far away enough to provide any problems with pedestrian safety or better livability.

The residential complex does provide a street presence as it abuts the street frontage on half of the property, which can be considered holding a corner. The open space common areas are a gathering point for the residents. Overall, the site design substantially complies with Policy CD-2, noting that better compliance can be made with pedestrian connection at the east end of the residential complex.

The site layout does include landscaping and architectural elements that provide shade for the property. The inclusion of landscape peninsulas on both sides of the drive aisle provide for better safety for pedestrians exiting out of garages and parking stalls. The residential multifamily complex is oriented towards the open space common areas. Cumulatively, this provides for consistency with Policies CD-4 and CD-29.

Architecture

Applicable Policies

- Policy CD-1 The City of Madera will require that all new development is well-planned and of the highest possible quality. The City will seek to build an image of Madera as a contemporary small city with vibrant, livable neighborhoods and walkable pedestrian- and bicycle-oriented development.*
- Policy CD-33 The exterior of residential buildings shall be varied and articulated to provide visual interest to the streetscape.*
- Policy CD-34 The exterior of residential buildings shall reflect attention to detail as necessary to produce high architectural design and construction quality. Where side and/or rear exterior elevations of residential buildings are visible from any street or public rights-of-way, they shall incorporate architectural treatments in keeping with the front (primary) elevation.*
- Policy CD-35 The City encourages a variety of features such as front porches and verandas in all new residential development.*
- Policy CD-39 New homes built in existing residential neighborhoods should match their context in terms of design and scale.*

The proposed elevations have a Spanish-style appearance. The elevations include windows with vinyl framing, window shutters for windows on each second level pop-out, patio decks for the second-floor units with a decorative wrought iron boundary, fiberglass doors, terracotta concrete tile roof, Spanish gable treatments, and a stucco exterior. The exterior materials are high quality, varied and articulated throughout the elevations, and the primary elevations facing the open space common areas are continuous in architectural design with the elevations that face the street frontage and parking field, providing consistency with Policies CD-1, CD-33 and CD-34. The second floor of the buildings propose a porch above the first-floor dwelling unit, consistent with Policy CD-35. The Groves Neighborhood Plan does not identify a design criteria, and because no viable high-density project has been constructed in the neighborhood, it would be difficult to match this project to the existing residential neighborhood.

The carports have a matching roof material to the residential complex buildings, providing architectural compatibility with the residential fourplex building. Cumulatively, the proposed elevations comply with the goals and policies of the General Plan.

Landscaping and Open Space

Applicable Policies

- CD – Goal 4 Attractive Streetscapes in All Areas of Madera*

Policy LU-21 Multi-family projects shall include functional, accessible outdoor areas and improvements which provide space for both private and public gatherings. These may include tot lots for pre-school children; passive recreation areas for lounging, sun bathing, barbecuing, quiet conversation and reading; and private patios or balconies. To the extent possible, these areas shall be shaded by trees and/or shade structures.

Landscaping plans are required as an element of the precise plan. Attention to detail and aesthetic design are necessary to satisfy Goal 4 of the Community Design Element. Staff recommends landscape and irrigation plans consistent with the State’s Model Water Efficient Landscape Ordinance be submitted to the Planning Department for review and approval prior to issuance of building permits.

The proposed site plan includes multiple common open space areas that includes a tot lot, areas for passive recreation such as lounging and barbecuing, quiet conversation and reading, and private balconies, consistent with Policy LU-21.

Open Space Requirements

The City’s parkland acquisition ordinance establishes procedures for requiring the dedication of parkland, the payment of fees in-lieu thereof, or a combination of both. In this case, the dedication the payment of fees in-lieu of dedicated parkland is required.

The PD Zone District requires a minimum of 750 square feet of open space per residential unit, which equates to a minimum requirement of 21,750 square feet of open space. The proposed site plan provides for approximately 17,190 square feet of open space, which requires a variance from the open space requirements of the PD (Planned Development) Zone District.

Parking

In PD (Planned Development) zones, parking requirements are addressed as a component of required precise plans on a case-by-case basis. In this case, the project is required to utilize the traditional parking standards for a multi-family housing project. The parking standards for the project proposal are as follows:

UNIT TYPE	# OF UNIT TYPE	# OF STALLS REQD.
1 bedroom	10	15
2 bedroom	19	38
Guest Parking	-	8
Total Parking Required:		61
Total Parking Provided:		54
Total Covered Parking Required:		29
Total Covered Parking Provided:		29

The number of parking stalls proposed does not equate to the minimum number of parking stalls required, necessitating a variance from the City’s parking requirements.

Variance Request

The applicant’s justification letter identifies that staff’s recommended additions to the project and the discrepancies between zoning and the General Plan are factors in not allowing to comply with the parking and open space requirements of the Madera Municipal Code (MMC). The justification letter has been included as an attachment (see Attachment 4).

Variance Requirements

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 Findings

Although the PD-1500 Zone District allows for a maximum of 29 units on a one-acre parcel, the static requirement of 750 square feet for each dwelling unit provides difficulties with compliance. The R (Residential) Zone District allows for less area of open space per unit with higher densities. With the PD Zone District, all densities require the same amount of open space. The applicant proposed multiple different designs which could provide more parking and open space, but ultimately could not satisfy the General Plan's goals and policies for better site design, livability, walkability, sustainability and better architecture design. Because of the size of the property, the strict requirements of open space and parking cannot provide a General Plan-conformant project. The applicant has incorporated the majority of staff's recommendations to construct a General Plan-conformant project that satisfies the intent of a high-density residential project, but is unable to satisfy the minimum open space and parking requirements. Based on the size of the property, and the inability to provide a General Plan-conformant project while complying with the open space and parking requirements of the PD Zone District, a justification can be made to allow for less than the required amount of open space and number of parking stalls for this proposed multifamily residential project, as conditioned.

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

The first of the four core vision statements is "A Well-Planned City." The Commission, considering how the project and infrastructure can be maintained, is actively implementing this key concept of the Vision Plan. Moreover, approval of the project will help provide consistency with Strategy 131, which states, "Create well-planned neighborhoods throughout Madera that promote connectivity and inclusiveness with a mix of densities."

RECOMMENDATION

The information presented in this report provides support for the adoption of a negative declaration, conditional approval of the precise plan and a variance request. It is recommended that the Commission consider the information in this report, as well as testimony in the public hearing, and make a determination on PPL 2019-05 and VAR 2019-04, subject to the findings and conditions of approval.

PLANNING COMMISSION ACTION

The Commission will be acting on the negative declaration, Precise Plan (PPL) 2019-05 and Variance (VAR) 2019-04 and determine 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 applications is subject to appeal to the City Council within fifteen calendar days of the Commission's action.

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 PPL 2019-05 and VAR 2019-04, 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.
- City services and utilities are available or can be extended to serve the area.
- Precise Plan 2019-05 is consistent with the purpose and intent of the PD (Planned Development) Zone District and does not conflict with City standards or other provisions of the Code.
- Precise Plan 2019-05 satisfies the requirements for precise plans per Madera Municipal Code (MMC) Section 10-3.4.104.
- Precise Plan 2019-05 is consistent with the goals and policies of the General Plan.
- Precise Plan 2019-05 is compatible with the neighborhood and is not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or 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 PPL 2019-05.
2. 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 precise plan by the Planning Commission.
3. 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.
4. 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.
5. The project shall be developed in accordance with the conditions of approval listed herein and the approved site plan, floor plans, and elevation drawings. Minor modifications to the approved plans necessary 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.
6. Prior to issuance of building permits or any future division of the property, the applicant at their sole expense shall cause the property to be annexed into the Citywide Community Facilities District No. 2005-01 and shall pay all applicable fees.

Building Department

7. 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.
8. 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

9. Nuisance onsite lighting shall be redirected as requested by City Engineer within 48 hours of notification.
10. Impact fees shall be paid at time of building permit issuance.
11. The developer shall reimburse the City for previously installed improvements, as calculated by the City Engineer, whose determination shall be final. Reimbursements for the previously installed improvements shall be paid prior to issuance of a building permit.
12. 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, easement acceptance, encroachment permit processing, and improvement inspection fees.
13. Improvement plans signed and sealed by an engineer shall be submitted to the Engineering Division in accordance with the submittal process.
14. The improvement plans for the project shall include the most recent version of the City's General Notes.
15. 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.
16. Improvements within the City right-of-way require an encroachment permit from the Engineering Division.
17. All off-site improvements shall be completed prior to issuance of final occupancy.

Sewer

18. New or existing sewer service connection(s) shall be constructed or upgraded to current City standards.
19. Existing sewer service connection(s) shall be constructed or upgraded to current City standards.
20. Sewer main connections 6" and larger diameter shall require manhole installation.
21. The developer shall reimburse its fair share cost to the City for the previously constructed sewer main along the entire project frontage.
22. Existing septic tanks, if found, shall be removed pursuant to issuance of a permit and inspection by the City of Madera Building Department.

Storm Drain

23. Storm runoff from this project site will surface drain into existing facilities and eventually into the MID Canal. Water runoff from the site shall be cleaned prior to entering the existing storm water

system to the satisfaction of the Madera Irrigation District through the use of an on-site oil/water separator or drop inlet inserts at drop inlets that receive runoff from the site.

24. Support calculations shall be provided that provide the existing storm drain facilities are capable of intercepting runoff in accordance with the provisions of the Storm Drainage System Master Plan.
25. 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. CAS000004. For the purpose of this proposed development, post development runoff shall match or be less than pre-development runoff. The development shall submit to future inspections by the City or other designated agencies relative to the improvements installed as a result of this condition to ensure they remain in compliance with the conditions imposed under this condition.

Streets

26. The developer shall construct an ADA-accessible concrete sidewalk along the entire project parcel frontage on Linden Street per City standards.
27. The driveway approach providing site access from Linden Street shall be altered to be constructed as a street-type entrance with a minimum face curb radius of fifteen feet and be constructed to current City and ADA standards.
28. The developer shall dedicate a Public Utility Easement (PUE) ten-feet wide along the entire project parcel frontage on Linden Street. A \$405.00 fee or the fee in effect at that time shall be paid with the Engineering Department.
29. The developer shall annex into and execute such required documents that may be required to participate in Landscape Maintenance District (LMD) Zone 4 for the purposes of participating in the cost of maintaining landscape improvements within said zone.
30. All public utilities shall be undergrounded, except transformers, which may be mounted on pads.

Water

31. Existing or new water service connection(s) shall be constructed to current City standards including Automatic Meter Reading (AMR) water meter installed within City right-of-way and backflow prevention device installed within private property.
32. A separate water meter and backflow prevention device will be required for landscape area.
33. Prior to the issuance of an encroachment permit, the developer shall reimburse its fair share cost to the City for the previously constructed water main along the entire project parcel frontage.
34. Existing water service connections that will not be used for the project shall be abandoned at the mains, per City of Madera standards.
35. Existing wells, if any, shall be abandoned as directed and permitted by the City of Madera for compliance with State standards.

Fire Department

36. Building permits shall be required to be approved for the construction of the buildings.
37. One 2A10BC-rated fire extinguisher shall be required for each 3,000 square feet of area on each floor level. A maximum travel distance of 75 feet is permitted.
38. Fire lanes shall be properly posted.
39. A Knox Box is required for access since the interior of the site is gated.
40. All buildings shall be equipped with fire sprinklers.
41. Fire sprinkler monitoring alarms shall be required for each structure. Fire alarm control units shall be placed in a closet used exclusively for fire equipment.
42. An on-site fire hydrant shall be required if any of the structures exceed fire flow or permissible hose lay distances as expressed in California Fire Code Appendices B & C.

Planning Department

General

43. Vandalism and graffiti shall be corrected per the Madera Municipal Code.
44. 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.
45. 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.
46. 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.

Building and Site Aesthetics

47. The construction of all buildings approved as part of PPL 2019-05 shall be in close conformance with the approved elevation drawings, as reviewed and approved by the Commission.
48. The construction of buildings approved as part of PPL 2019-05 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 Commission approval.
49. Prior to the issuance of building permits, applicant to 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

50. Wherever feasible, electrical/mechanical equipment shall be located in the interior of the proposed new structure(s) within electrical/mechanical service rooms. When not feasible, electrical/mechanical equipment located either on the exterior of the building or ground mounted shall be located such that it is not visible from the public right-of-way and screened with landscaping and/or fencing.
51. 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.
52. All parking lot lights/lighting shall be incorporated into landscaped areas.
53. The developer shall contact the City Engineer when all site lighting is operational. Additional light screening may be required.

Landscaping

54. 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.
 - Areas throughout the project shall be planted so as to provide a minimum of 70% vegetative cover upon maturity.
 - Landscaped areas shall be developed along all street frontages and within parking fields.
 - Shade trees shall be planted throughout the parking lot, with a minimum of one tree per five parking spaces.
 - Landscaped areas are to be provided with permanent automatic irrigation systems.
 - 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.
55. 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.
56. 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

57. Parking stalls shall be developed in close conformance with the approved site plan.
58. 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.

59. On-site parking shall be provided at all times in conformance with the Municipal Code. 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

60. 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.
61. Address sign designs shall be approved by the Planning Department prior to issuance of building permits.
62. All proposed construction announcement sign uses shall conform to the Municipal Sign Ordinance.

Walls and Fences

63. 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.

San Joaquin Valley Air Pollution Control District

64. 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 PPL 2019-05 and VAR 2019-04 to the December 10, 2019 Commission hearing, for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for PPL 2019-05 and VAR 2019-04, based on the following findings: (specify)

ATTACHMENTS

- Attachment 1: Aerial Map
- Attachment 2: SJVAPCD Letter
- Attachment 3: MUSD Letter
- Attachment 4: Justification Letter
- Attachment 5: Initial Study & Negative Declaration
- Attachment 6: Site Plan, Floor Plan & Elevations

Attachment 1: Aerial Map



Attachment 2: SJVAPCD Letter



August 28, 2019

Robert Holt
City of Madera
205 W. Fourth Street
Madera, CA 93637

Project: PPL 2019-05

District CEQA Reference No: 193-20190019

Dear Mr. Holt:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of apartments, low rise with a total of 29 dwelling units (Project), located at 711 Linden Street in Madera, CA. The District offers the following comments:

1. Significance Impact for Annual Criteria Pollutants Emissions - The 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) - District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site fees. The Project is not subject to District Rule 9510 because the project size is below the Rule 9510 applicability threshold for a residential development.

Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for the project

Seyed Sadredin
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

level approval from the public agency. 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. Regulation VIII (Fugitive PM10 Prohibitions) - The Project will be subject to Regulation VIII. The project proponent is required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan, if applicable prior to commencing any earthmoving activities as described in District Rule 8021 - Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities. Information on how to comply with Regulation VIII can be found online at: http://www.valleyair.org/busind/comply/PM10/compliance_PM10.htm
4. Other District Rules and Regulations - The above list of rules is neither exhaustive nor exclusive. For example, the Project may be subject to the following District rules, including: Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). To identify other District rules or regulations that apply to this Project or to obtain information on the District's permit requirements, such as an Authority to Construct (ATC), the project proponent is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888 or e-mail SBA@valleyair.org. Current District rules can be found online at the District's website at: www.valleyair.org/rules/1ruleslist.htm.
5. Potential Air Quality Improvement Measures - The District encourages the following air quality improvement measures to further reduce Project related emissions from construction and operation. A complete list of potential air quality improvement measures can be found online at: <http://www.valleyair.org/ceqaconnected/aqimeasures.aspx>.
 - a. Cleaner Off-Road Construction Equipment - This measure is to utilize off-road construction fleets that can achieve fleet average emissions equal to or cleaner than the Tier III emission standards. This can be achieved through any combination of uncontrolled engines and engines complying with Tier III and above engine standards.
 - b. Improve Walkability Design - This measure is to improved design elements to enhance walkability and connectivity. Improved street network characteristics within a neighborhood include street accessibility, usually measured in terms of average block size, proportion of four-way intersections, or number of intersections per square mile. Design is also measured in terms of sidewalk coverage, building setbacks, street widths, pedestrian crossings, presence of street trees, and a host of other physical variables that differentiate pedestrian-oriented environments from auto-oriented environments.
 - c. Improve Destination Accessibility - This measure is to locate the project in an area with high accessibility to destinations. Destination accessibility is measured in terms of the number of jobs or other attractions reachable within a given travel time, which tends to be highest at central locations and lowest at peripheral ones. The location of the project also increases the potential for

pedestrians to walk and bike to these destinations and therefore reduces the VMT.

- d. Increase Transit Accessibility - This measure is to locate the project with high density near transit which will facilitate the use of transit by people traveling to or from the Project site. The use of transit results in a mode shift and therefore reduced VMT. A project with a residential/commercial center designed around a rail or bus station, is called a transit-oriented development (TOD). The project description should include, at a minimum, the following design features:
- A transit station/stop with high-quality, high-frequency bus service located within a 5-10 minute walk (or roughly ¼ mile from stop to edge of development), and/or
 - A rail station located within a 20 minute walk (or roughly ½ mile from station to edge of development)
 - Fast, frequent, and reliable transit service connecting to a high percentage of regional destinations
 - Neighborhood designed for walking and cycling

The District recommends that a copy of the District's comment letter be provided to the project proponent.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call the District's Technical Services staff at (559) 230-6000 or e-mail ceqa@valleyair.org. When calling or emailing the District, please reference District CEQA number 193-20190019 .

Sincerely,

Amaud Marjollet
Director of Permit Services



Brian Clements
Program Manager

Attachment 3: MUSD Letter

MADERA UNIFIED SCHOOL DISTRICT
1902 Howard Road, Madera, California 93637
(559) 675-4500
FAX: (559) 675-1186
www.madera.k12.ca.us



Board of Trustees:
Ray G. Seibert, President
Ruben Mendoza, Clerk
Trustees:
Brent Fernandes, Joetta Fleak
Ed McIntyre, Lucy Salazar
Superintendent:
Todd Lile

September 6, 2019

Robert Holt
Assistant Planner
City of Madera
205 W 4th St.
Madera, CA 93637

SUBJECT: PPL 2019-05 & VAR 2019-04 – Linden Apartments

Dear Mr. Holt:

The purpose of this letter is to provide school district information relative to the above-referenced applications and to comply with Business and Professions Code section 11010, subdivision (b)(11)(A) regarding the provision of school-related information to the subdivider/owner and the State Department of Real Estate.

Residential development resulting from the project will affect the District by generating students that will need to be housed in District schools. Using the approximate dwelling units and the District's student generation rates, we have estimated the number of students potentially generated by the proposed plan. Assuming the project is a 29 unit apartment complex, located at 711 Linden Street, the following comments can be made at this time:

- 1. The number of students generated by the project is estimated as follows:

Grade Group	Rate	Units	Students
TK-6	0.353	29	10.24
7-8	0.092	29	2.67
9-12	0.169	29	4.90
	0.614		17.81

- 2. Elementary School Information:

- a. The subject land is presently within the attendance area of the elementary school (grades TK-6) listed below:

School Name: John Adams Elementary School
Address: 1822 National Avenue, Madera, CA 93637
Telephone: (559) 674-4631
Capacity: 850
Enrollment: 799
School Schedule: Traditional

- b. It is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend an elementary school other than the above school, and (2) students residing in the project area may attend more than one elementary school within the District during their TK-6 school years.

- 3. Intermediate School Information:

MADERA UNIFIED SCHOOL DISTRICT
1902 Howard Road, Madera, California 93637
(559) 675-4500
FAX: (559) 675-1186
www.madera.k12.ca.us



Board of Trustees:
Ray G. Seibert, President
Ruben Mendoza, Clerk
Trustees:
Brent Fernandes, Joetta Fleak
Ed McIntyre, Lucy Salazar

Superintendent:
Todd Life

- a. The project area is currently served by the following middle school (grades 7-8):

School Name: Thomas Jefferson Middle School
Address: 1407 Sunset Ave., Madera, CA 93637
Telephone: (559) 673-9286
Capacity: 1,000
Enrollment: 1,008
School Schedule: Traditional

- b. It is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend a middle school other than the above school, and (2) students residing in the project area may attend more than one middle school within the District during their 7-8 school years.

4. High School Information:

- a. The project area is currently served by the following high school (grades 9-12):

School Name: Madera High School
Address: 200 S L Street, Madera, CA 93637
Telephone: (559) 675-4444
Capacity: 2,200
Enrollment: 2,142
School Schedule: Traditional

- b. It is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend more than one high school within the District during their 9-12 school years.

5. The Madera Unified School District currently levies a fee of \$4.10 per square foot for residential development. Any new development on the subject property will be subject to the development fee in place at the time fee certificates are obtained.

The District hereby requests that the information in this letter be provided by the owner/subdivider to all prospective purchasers of property within the project.

Thank you for the opportunity to comment on the project. Please contact my office if you have any questions regarding this letter.

Sincerely,

A handwritten signature in blue ink that reads "Rosalind Cox". The signature is written in a cursive style.

Rosalind Cox
Director of Facilities Planning and
Construction Management

Attachment 4: Justification Letter

Villa Di Ubaldo

Architecture, Engineering & Development

Ubaldo Garcia Hernandez, Licensed Architect

PO Box 925, Madera, CA 93639

Phone: (559) 871-5534 Email: villadiubaldo@hotmail.com

October 8th, 2019

City of Madera Planning Commission
205 West 4th Street
Madera, CA 93637

RE: Linden Apartments – Parking & Open Space Variance Request

Dear Commissioners, please accept this letter as a formal request for a variance, granting a reduction in parking and open space requirements. The proposed apartment project consists of a 1-acre parcel with the proposal for (10) 1-bedroom & (19) 2-bedroom apartment units in a two-story configuration with garages beneath the units for maximum efficiency. The core intent of this project is to provide affordable housing for new families and single individuals in our community with an emphasis in community living. There are several constraints that have led us to the need for a variance, some of which include; lot size & shape, lack of access thru adjacent parcels or side streets, target density compliance, and required building articulation for aesthetic design, amongst others. Since the mentioned constraints are outside of our control, we focused our efforts on providing the most efficient, livable, and coherent design possible (I'm not kidding, I have been working on different designs for this project for the past 4 years).

Per the zoning ordinance, the project requires 750sq.ft. of open space per unit and a total of 60 parking stalls for residents and guest parking. The project is zoned as PD-1500 which allows a maximum density of 29 units per acre as proposed. It is worth noting that any high-density project which proposes 22-units or more per acre will automatically require a variance for a reduction in open space and/or parking because the goals and policies of the City of Madera General Plan are not in sync with the City of Madera Zoning Ordinance (see attachment 1A). Never the less, in cooperation with the City of Madera Planning Staff, we propose the following tradeoffs which we hope you accept as justification for granting the proposed reductions.

Starting with the outside, planning staff insisted on a high-quality architectural design which included a mixture of architectural features like Spanish tile, corbels, gable end embellishments, window shutters, building articulation, window trims on all sides, and a coherent mixture of colors for the building. We went above and beyond by providing all of the above and also included cantilevered balconies for the 2-floor units which in turn provide usable private space and pleasant architectural views from the street. Following the direction of planning staff, we incorporated planter peninsulas through the parking area and between garages where possible, which provide greenery to the site in exchange of a few parking spaces. Since the required open space per unit of 750sq.ft. was not achievable as explained in attachment 1A, we focused our efforts on providing a mixture of high-quality open spaces. The proposed balconies and patios provide a small but usable private space for each unit. The common areas are strategically divided into 3 sections, since the target audience for this project are new families, we incorporated a park sized playground in the rear courtyard with easy access to a picknick area and within eye view of everyone living in building B. The front courtyard consists of a grass area with a large shade tree in the center, surrounded with a 360-degree sitting bench for those residents looking to catch up on reading or simply looking for a place to chat with the neighbors. In total, the proposed amenities of this project reflect our intent to create a resort style lifestyle in which people chose to spend more time outside with their neighbors and enjoying a sense of belonging that is rarely seen outside of small towns and communities.

Thank you very much for your consideration of our project. We hope that we have provided sufficient justification for the tradeoffs for which we are requesting this variance.

Sincerely,

Ubaldo Garcia Hernandez, Architect

ATTACHMENT 1A

Hypothetical Apartment Project Site Analysis:

Site Area:	43,560 sq.ft. (1-Acre)
Zoning:	PD 1500
Max. Allowed Units:	29 DU
Open Space Req.	750 sq.ft. / DU = 21,750 sq.ft.
Req. Parking	60 stalls x 153 sq.ft. (9ft x 17ft) = 9,180 sq.ft.
Typical Drive Aisles:	<u>20% of lot area = 8,712 sq.ft.</u>
Total Available Building Footprint = 3,918 sq.ft.	

Hypothetical Apartment Building Analysis:

Proposed Building:	29 DU x 930 sq.ft. total area per unit = 26,970 sq.ft. total area
Building Height:	26,970 sq.ft. total building area
	<u>÷ 3,918 sq.ft. available building footprint</u>
	= 7-story apartment building

The only way this project could meet the zoning ordinance is if we proposed a 7-story apartment tower between 70 and 100ft in height with more than a 1/2-acre open park accompanied by a sea of parking stalls and carports. Now, we could play around with the numbers a little bit since the ordinance doesn't allow such a tall building which means that we would have to have a flat roofed 4-story apartment building next to a 4-story reinforced concrete parking structure, but the project would be rendered unfeasible at this point.

Conclusion: Unless an additional 1/2-acre parcel is added to this 1-acre apartment project, the site requirements cannot be met. The additional 1/2-acre would lower the site density to PD-3000 which defeats the purpose and intent of the General Plan to provide much needed housing by densifying the city. The eminent alternative is to request a variance for any high-density project proposed within the City of Madera.

Attachment 5: Initial Study & Negative Declaration

CITY OF MADERA
INITIAL STUDY / ENVIRONMENTAL CHECKLIST

I. BACKGROUND AND PROJECT DESCRIPTION

1. **Application No.:**
Precise Plan 2019-05 and Variance 2019-04

2. **Project Title:**
Linden Apartments

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

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

5. **Project Location:**
Approximately 400 feet north of the intersection of Sunset Avenue and Linden Street.

6. **Project Applicant's/Sponsor's Name and Address:**
Ubaldo Garcia Hernandez – P.O. Box 925, Madera, CA 93639

7. **General Plan Designation:**
HD (High Density)

8. **Zoning:**
PD-1500 (Planned Development)

9. **Project Background:**
The proposal is an application for a precise plan to allow for the development of a 29-unit multifamily complex including eleven one-bedroom dwelling units and eighteen two-bedroom dwelling units, nineteen garages, a parking field and large open space community areas including a playground, covered lounge areas, a tree surrounded by a seat wall and tot lot. The variance would allow for less than the required minimum number of parking stalls, covered parking stalls and less than the required minimum amount of open space.

10. **Public Agencies Whose Approval or Review Is Required:**
Madera Irrigation District, Madera Unified School 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 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**
California Native American tribes traditionally and culturally affiliated with the project area did not request consultation pursuant to Public Resources Code Section 21080.3.1.

II. ENVIRONMENTAL SETTING

The project site is vacant residentially-zoned land located approximately 400 feet north of the intersection of Sunset Avenue and Linden Street. The project site encompasses one acre. Access to the property will only occur from Linden Street. The project site is located in the Groves Neighborhood Specific Plan and is generally surrounded by single-family residential dwellings and under-utilized residentially-zoned properties. Two apartment complexes (Westgaters and Riverwood) are located in close proximity west and north of the project site respectively.



III. ENVIRONMENTAL CHECKLIST

Environmental Factors Potentially Affected by the Project: Some of the environmental factors checked below would be potentially affected by this project, although none of the environmental factors have a "Potentially Significant Impact" or "Potentially Significant Impact Unless Mitigation Incorporation," 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

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 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: _____

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) 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?			✓	
<p>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 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.</p> <p>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.</p> <p>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.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) The project will not substantially degrade the existing visual character or quality of the site and its surroundings. The project does not also conflict with 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))?				✓
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?				✓
<p>Discussion</p> <p>The project site is located on land identified as “Urban and Built-Up Land” on the 2016 California Farmland Mapping and Monitoring Program map.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>No Impacts</p> <p>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 “Urban and Built-Up Land” on the 2016 California Farmland Mapping and Monitoring Program map, which includes land that is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. The project site has been identified for residential use within the City of Madera General Plan, and the land is not currently being utilized for agricultural purposes.</p> <p>b) The project would not conflict with existing zoning for agricultural use and there are no Williamson Act contracts affecting the subject property.</p> <p>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)).</p> <p>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)).</p> <p>e) The project, which will develop an eight-unit apartment complex, will not involve other changes in the existing environment, due to the 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.</p>				
<p>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:</p>				
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?			✓	

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

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.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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.</p>				
<p>Less than Significant Impacts</p>				
<p>a) According to the San Joaquin Valley Air Pollution Control District (SJVAPCD), the project is subject to some District Rules. The project will not conflict with or obstruct implementation of the applicable air quality plan.</p> <p>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).</p> <p>c) The project would not expose sensitive receptors to substantial pollutant concentrations.</p> <p>d) The development of the project would not result in other emissions, such as those leading to odors adversely affecting a substantial number of people.</p>				
<p>4. BIOLOGICAL RESOURCES. Would the project:</p>				
<p>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?</p>				✓
<p>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?</p>				✓
<p>c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal,</p>				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
<p>Discussion</p> <p>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.</p> <p>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.</p> <p>No Impacts</p> <p>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.</p> <p>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.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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.</p> <p>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.</p> <p>e) The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p> <p>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.</p>				
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?				✓
<p>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.</p> <p>No Impacts</p> <p>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.</p> <p>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.</p>				

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 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 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 Mines and Geology Special Publication 42.				✓
ii. Strong seismic ground shaking?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
<p><u>Discussion</u> 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.</p> <p><u>No Impacts</u></p> <p>a)</p> <p>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 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</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>damage, ground settlement, or liquefaction to occur in the project vicinity is considered minimal.</p> <p>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 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.</p> <p>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.</p> <p>iv. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>				

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 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?			✓	
<p>Discussion</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Less than Significant Impacts</p> <p>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.</p> <p>b) The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
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 or excessive noise 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?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Discussion</p> <p>The project will not create hazards or expose people or property to hazardous conditions. The anticipated development will be consistent with the General Plan and will be delineated with the accompanying precise plan.</p> <p>No impacts</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>e) The project site is not located within an airport land use plan and would result in a safety hazard or excessive noise for people residing or working in the project area.</p> <p>f) The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.</p> <p>g) The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildfires.</p>				
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				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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				✓
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 sustainable groundwater management plan?				✓
<p>Discussion</p> <p>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 or 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.</p> <p>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.</p> <p>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 are 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.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
No Impacts				
<p>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.</p> <p>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.</p> <p>c)</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>e) The project does not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.</p>				
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				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
purpose of avoiding or mitigating an environmental effect?				
<p>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.</p> <p>No Impacts</p> <p>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.</p> <p>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.</p>				
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?				✓
<p>No Impacts</p> <p>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.</p> <p>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.</p>				
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?				✓
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				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
residing or working in the project area to excessive noise levels?				
<p>Discussion</p> <p>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.</p> <p>No Impacts</p> <p>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.</p> <p>b) The project would not generate excessive ground borne vibration or ground borne noise levels.</p> <p>c) The project site is not located within the vicinity of a private airstrip or an airport land use plan and would not expose people residing or working in the project area to excessive noise levels.</p>				
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?				✓
<p>Discussion</p> <p>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.</p> <p>Less than Significant Impacts</p> <p>a) The project does induce unplanned population growth in the area directly with the construction of eight new dwelling units, but the growth will not be substantial.</p> <p>No Impacts</p> <p>b) The project will not displace substantial numbers of existing people or housing which will not necessitate the construction of replacement housing elsewhere.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
<p>Discussion</p> <p>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.</p> <p>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 standard practices. The project would not bring about a significant increase in the demand for solid waste disposal services and facilities.</p> <p>No Impacts</p> <p>a) The project would not result in substantial adverse physical impacts to fire protection services.</p> <p>b) The project would not result in substantial adverse physical impacts to fire protection services.</p> <p>c) The project would not result in substantial adverse physical impacts to school services. The Madera Unified School District levies a school facilities fee to assist defraying the impact of residential development.</p> <p>d) The project would not result in substantial adverse physical impacts to park facilities.</p> <p>e) The project would not result in substantial adverse physical impacts on other public facilities.</p>				
16. RECREATION. Would the project:				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
<p>Discussion Residential 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.</p> <p>No Impacts</p> <p>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.</p> <p>b) The project will include the construction of large open space community areas including a playground, covered lounge areas, a tree surrounded by a seat wall and tot lot that would provide for recreational activities, but they will not have an adverse physical effect on the environment.</p>				
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?				✓
<p>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.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>No Impacts</p> <p>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 Department standards and Americans with Disabilities Act (ADA) standards.</p> <p>b) The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). The project is not located within one-half mile of an existing major transit stop or along an existing high-quality transit corridor.</p> <p>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).</p> <p>d) The project would not result in inadequate emergency access.</p>				
<p>18. Tribal Cultural Resources. Would the project:</p>				
<p>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:</p> <p>a) 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), or</p>				✓
<p>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</p>				✓
<p>No Impacts</p> <p>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,</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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).</p> <p>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 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.</p>				
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?				✓
<p>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</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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.</p> <p>Less than Significant Impacts</p> <p>a) The project would require the construction of new water and storm water drainage facilities, but the construction would not cause significant environmental effects.</p> <p>No Impacts</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>e) The project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.</p>				
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 plan 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?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) 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?				✓
<p>Discussion</p> <p>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.</p> <p>No Impacts</p> <p>a) The project would not substantially impair an adopted emergency response plan or emergency evacuation.</p> <p>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.</p> <p>c) The project would not require the installation or maintenance of roads and will not exacerbate fire risk or result in temporary or ongoing impacts to the environment as the project is also not located in or near state responsibility areas or lands classified as very high fire hazard severity zones.</p> <p>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.</p>				
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 the				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
<p>Discussion</p> <p>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, and Utilities and Service Systems.</p> <p>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.</p> <p>No Impacts</p> <p>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.</p> <p>b) The project would not have cumulatively considerable impacts that are beyond less than significant.</p> <p>c) The project would not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.</p>				

Attachment 6: Site Plan, Floor Plans & Elevations

- KEY NOTES:**
- 1 PROPOSED 24FT CONCRETE DRIVEWAY APPROACH PER CITY STANDARDS
 - 2 PROPOSED 6FT WROUGHT IRON FENCE
 - 3 PROPOSED 20'-6" X 20'-6" TRASH ENCLOSURE PER CITY STANDARDS
 - 4 5FT WIDE MIN. CONCRETE HAULWAY PER 2016 CBC SEE DETAIL B/A/3
 - 5 4FT X 12FT FREESTANDING CABANA
 - 6 LOADING AREA 'NO PARKING'
 - 7 4'-4" WIDE CONCRETE SIDEWALK PER CITY STANDARDS
 - 8 PARK BENCH
 - 9 BARBECUE GRILL
 - 10 HANDICAP ACCESSIBLE PARKING STALL PER 2016 CBC
 - 11 6" RAISED CONCRETE CURB PER CITY STANDARDS
 - 12 LANDSCAPE AREA PER LANDSCAPE PLANS
 - 13 PLAYGROUND AREA & EQUIPMENT TO BE INSTALLED PER MANUFACTURER'S SPECS.
 - 14 (E) CURB & GUTTER TO REMAIN AS EXISTING PER CITY STANDARDS
 - 15 PROPOSED 10FT X 12FT FREESTANDING GARPORT PER GARPORT PLANS
 - 16 PROPOSED 6FT HIGH PRIVACY WOOD FENCE
 - 17 PRIVATE PATIO AREA
 - 18 4FT X 6FT WROUGHT IRON GATE
 - 19 12FT DIA. TREE HELL w/ CIRCULAR SEAT

SITE PLAN SCHEDULE

	PROPOSED LOT COVERAGE
	CONCRETE
	ASPHALT PAVING
	LANDSCAPING AREA PER PLANS
	PROPERTY LINE
	PROPOSED WOOD FENCE
	PROPOSED WROUGHT IRON FENCE

PROJECT DIRECTORY

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 Villad@ubaldo@hotmail.com

ARCHITECT: VILLA DI UBALDO
 UBALDO GARCIA HERNANDEZ
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 Villad@ubaldo@hotmail.com

PROJECT DATA

SITE ADDRESS: 711 LINDEN AVENUE
 MADERA, CA 93631

APN: 006-250-014

ZONING: PD-1500

GENERAL PLAN LAND USE: HIGH DENSITY RESIDENTIAL w/ DENSITY RANGE 15-30 DU/A

OCCUPANCY: R-2

CONSTRUCTION TYPE: VB / SPRINKLERED

SITE DETAILS:

SITE AREA: 1.43615 AC (1,00 AC)

PROPOSED SITE COVERAGE: 11,951 SQ.FT. (28%)

BUILDING COVERAGE: 16,510 SQ.FT. (36%)

PARKING & DRIVEWAY: 15,148 SQ.FT. (35%)

SITE OPEN SPACE: 15,148 SQ.FT. (35%)

PROPOSED DU/A DENSITY: 24 DU / 1,00 AC (24 DU/A)

OPEN SPACE REQ.: 750 SQ.FT. / UNIT (5949 SQ.FT. / UNIT)

OPEN SPACE PROVIDED: 15,148 SQ.FT.

SITE OPEN SPACE: 15,148 SQ.FT.

2ND FLOOR BALCONY: 2,042 SQ.FT.

TOTAL COMMON AREA OPEN SPACE: 17,190 SQ.FT.

MAX. HEIGHT REQ.: 45FT A.F.S. / 26'-10" A.F.S.

MAX. HEIGHT PROVIDED: 45FT A.F.S. / 26'-10" A.F.S.

SETBACKS REQ.: FRONT: 12FT, SIDE: 5FT, REAR: 5FT

SETBACKS PROVIDED: FRONT: 12'-0" MIN., SIDE: 5' MIN., REAR: 45' MIN.

PARKING REQ.: (10) 1 BED/2U X 15 = 15 STALLS
 (14) 2 BED/2U X 2 = 28 STALLS
 24/2U X 0.25 GUEST PARKING = 7.25 STALLS
TOTAL SPACES REQUIRED = 60 STALLS

PARKING PROVIDED: 14 GARAGE STALLS
 10 COVERED GARPORT STALLS
 25 U.C. STANDARD STALLS
TOTAL = 54 STALLS

TOTAL AREA:

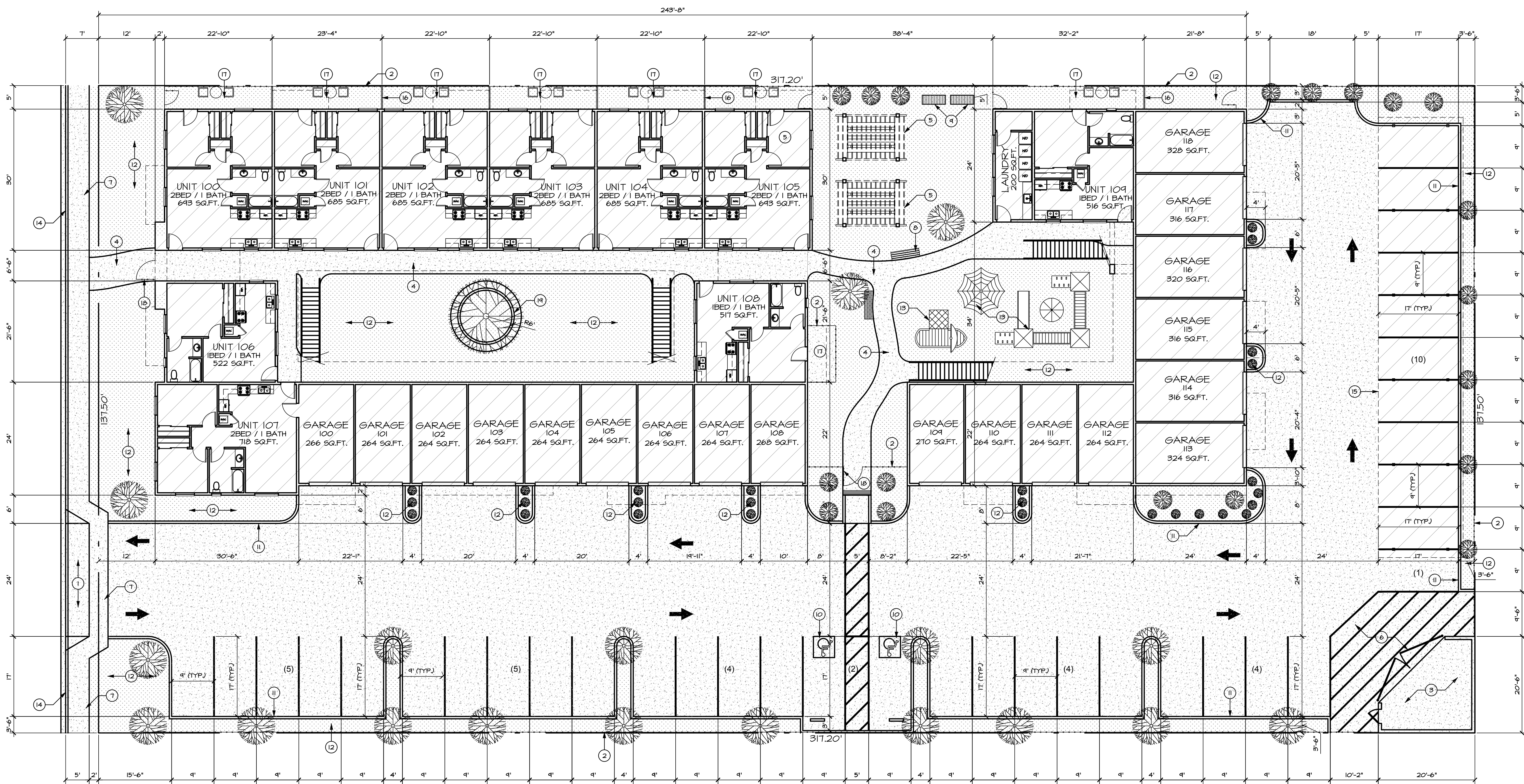
BUILDING 'A' AREA: 17,108 sq. ft.

BUILDING 'B' AREA: 7,720 sq. ft.

CARPORT AREA: 1,530 sq. ft.

PROPOSED BUILDING AREA: 26,412 sq. ft.

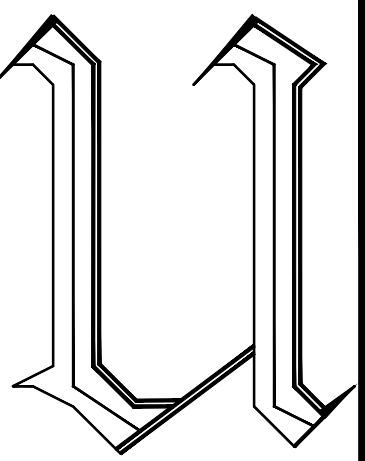
711 Linden



Site Plan

SEE SHEET A2.1 FOR SITE DETAILS

SCALE: 1" = 10'-0"



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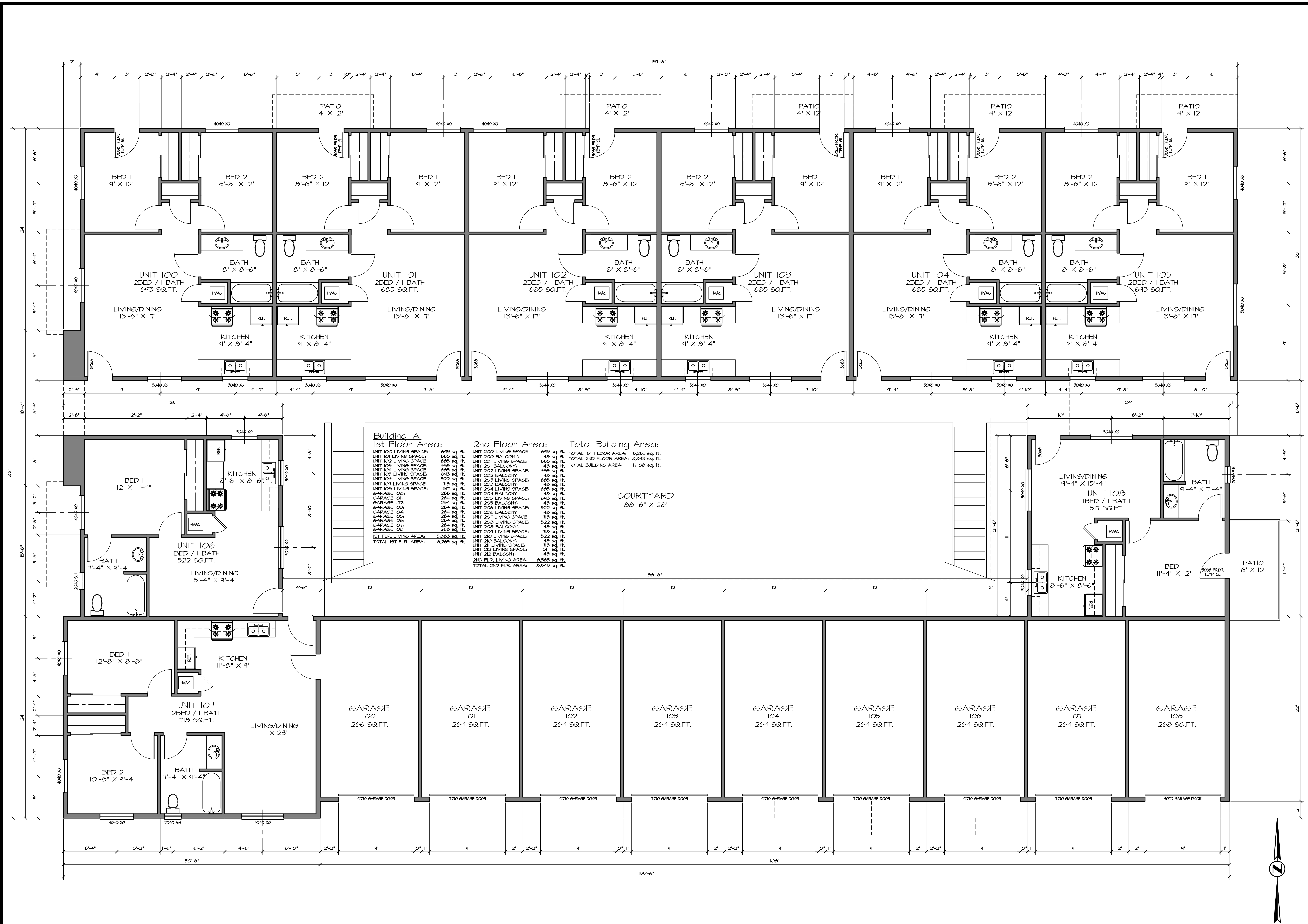


REVISIONS:

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 Email: villad@ubaldo@hotmail.com

DATE: 3/1/2019
 SCALE: 1" = 10'-0"
 SHEET NO: LINDEN APT.
 SHEET

A2.0



Building 'A'

1st Floor Area:		2nd Floor Area:		Total Building Area:	
UNIT 100 LIVING SPACE:	643 sq. ft.	UNIT 200 LIVING SPACE:	643 sq. ft.	TOTAL 1ST FLOOR AREA:	8,265 sq. ft.
UNIT 101 LIVING SPACE:	685 sq. ft.	UNIT 201 BALCONY:	48 sq. ft.	TOTAL 2ND FLOOR AREA:	8,243 sq. ft.
UNIT 102 LIVING SPACE:	685 sq. ft.	UNIT 201 LIVING SPACE:	685 sq. ft.	TOTAL BUILDING AREA:	17,008 sq. ft.
UNIT 103 LIVING SPACE:	685 sq. ft.	UNIT 202 BALCONY:	48 sq. ft.		
UNIT 104 LIVING SPACE:	685 sq. ft.	UNIT 202 LIVING SPACE:	685 sq. ft.		
UNIT 105 LIVING SPACE:	685 sq. ft.	UNIT 203 BALCONY:	48 sq. ft.		
UNIT 106 LIVING SPACE:	522 sq. ft.	UNIT 203 LIVING SPACE:	685 sq. ft.		
UNIT 107 LIVING SPACE:	718 sq. ft.	UNIT 204 BALCONY:	48 sq. ft.		
UNIT 108 LIVING SPACE:	517 sq. ft.	UNIT 205 LIVING SPACE:	648 sq. ft.		
GARAGE 100:	266 sq. ft.	UNIT 206 BALCONY:	48 sq. ft.		
GARAGE 101:	264 sq. ft.	UNIT 206 LIVING SPACE:	522 sq. ft.		
GARAGE 102:	264 sq. ft.	UNIT 207 BALCONY:	48 sq. ft.		
GARAGE 103:	264 sq. ft.	UNIT 207 LIVING SPACE:	718 sq. ft.		
GARAGE 104:	264 sq. ft.	UNIT 208 LIVING SPACE:	522 sq. ft.		
GARAGE 105:	264 sq. ft.	UNIT 209 BALCONY:	48 sq. ft.		
GARAGE 106:	264 sq. ft.	UNIT 210 LIVING SPACE:	522 sq. ft.		
GARAGE 107:	264 sq. ft.	UNIT 210 BALCONY:	48 sq. ft.		
GARAGE 108:	268 sq. ft.	UNIT 211 LIVING SPACE:	718 sq. ft.		
1ST FLR. LIVING AREA:	5,265 sq. ft.	UNIT 212 LIVING SPACE:	371 sq. ft.		
TOTAL 1ST FLR. AREA:	8,265 sq. ft.	UNIT 212 BALCONY:	48 sq. ft.		
		2ND FLR. LIVING AREA:	8,263 sq. ft.		
		TOTAL 2ND FLR. AREA:	8,243 sq. ft.		

Building 'A' 1st Floor Plan

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Architecture, Engineering & Development
Ubaldo Garcia Hernandez
Architect Lic. No. C-35319

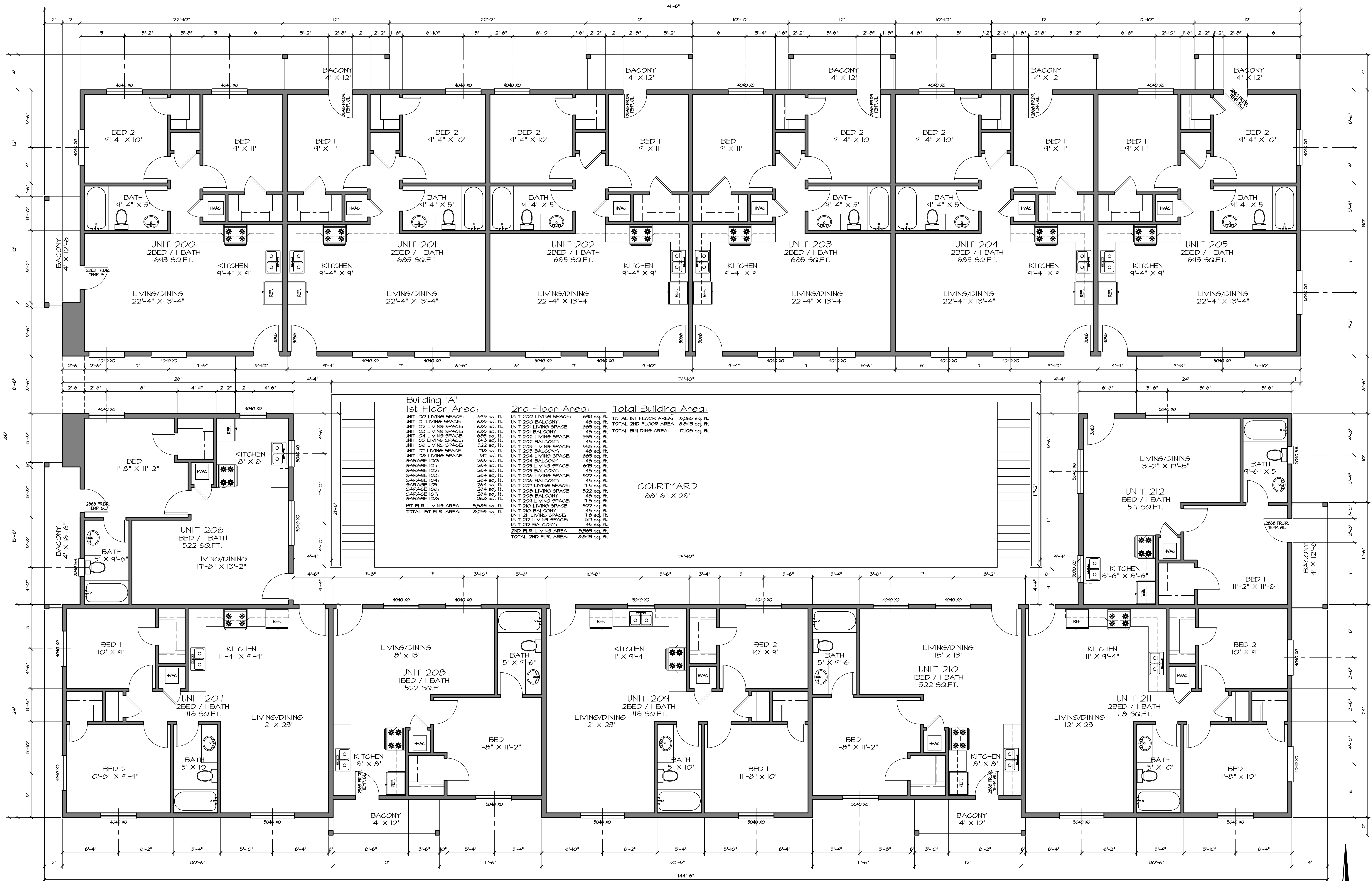
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REVISIONS:

Linden Apartments
Ubaldo & Marina Garcia

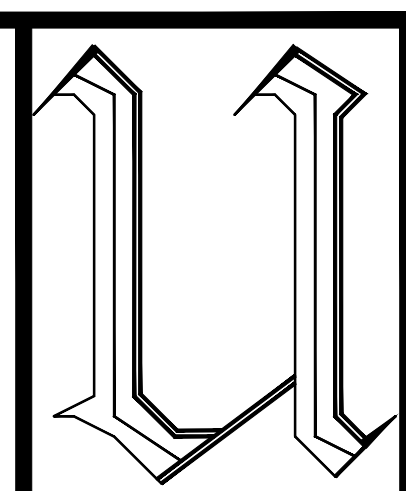
OWNER/BUILDER:
DATE: 3/17/2019
SCALE: 1/4" = 1'-0"
JOB NO.: LINDEN APT.
SHEET: A3.1

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Building 'A'

1st Floor Area:	2nd Floor Area:	Total Building Area:
UNIT 100 LIVING SPACE: 649 sq. ft.	UNIT 200 BALCONY: 48 sq. ft.	TOTAL 1ST FLOOR AREA: 8,265 sq. ft.
UNIT 101 LIVING SPACE: 685 sq. ft.	UNIT 201 BALCONY: 48 sq. ft.	TOTAL 2ND FLOOR AREA: 8,843 sq. ft.
UNIT 102 LIVING SPACE: 685 sq. ft.	UNIT 202 BALCONY: 48 sq. ft.	TOTAL BUILDING AREA: 17,108 sq. ft.
UNIT 103 LIVING SPACE: 685 sq. ft.	UNIT 203 BALCONY: 48 sq. ft.	
UNIT 104 LIVING SPACE: 685 sq. ft.	UNIT 204 BALCONY: 48 sq. ft.	
UNIT 105 LIVING SPACE: 685 sq. ft.	UNIT 205 BALCONY: 48 sq. ft.	
UNIT 106 LIVING SPACE: 522 sq. ft.	UNIT 206 BALCONY: 48 sq. ft.	
UNIT 107 LIVING SPACE: 517 sq. ft.	UNIT 207 BALCONY: 48 sq. ft.	
UNIT 108 LIVING SPACE: 522 sq. ft.	UNIT 208 BALCONY: 48 sq. ft.	
UNIT 109 LIVING SPACE: 522 sq. ft.	UNIT 209 BALCONY: 48 sq. ft.	
UNIT 110 LIVING SPACE: 522 sq. ft.	UNIT 210 BALCONY: 48 sq. ft.	
UNIT 111 LIVING SPACE: 522 sq. ft.	UNIT 211 BALCONY: 48 sq. ft.	
UNIT 112 LIVING SPACE: 522 sq. ft.	UNIT 212 BALCONY: 48 sq. ft.	
1ST FLR. LIVING AREA: 5,883 sq. ft.	2ND FLR. LIVING AREA: 8,363 sq. ft.	
TOTAL 1ST FLR. AREA: 8,265 sq. ft.	TOTAL 2ND FLR. AREA: 8,843 sq. ft.	



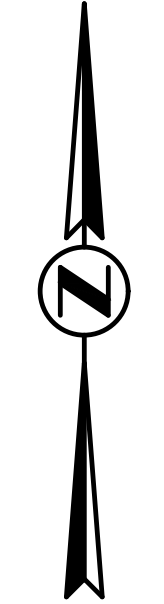
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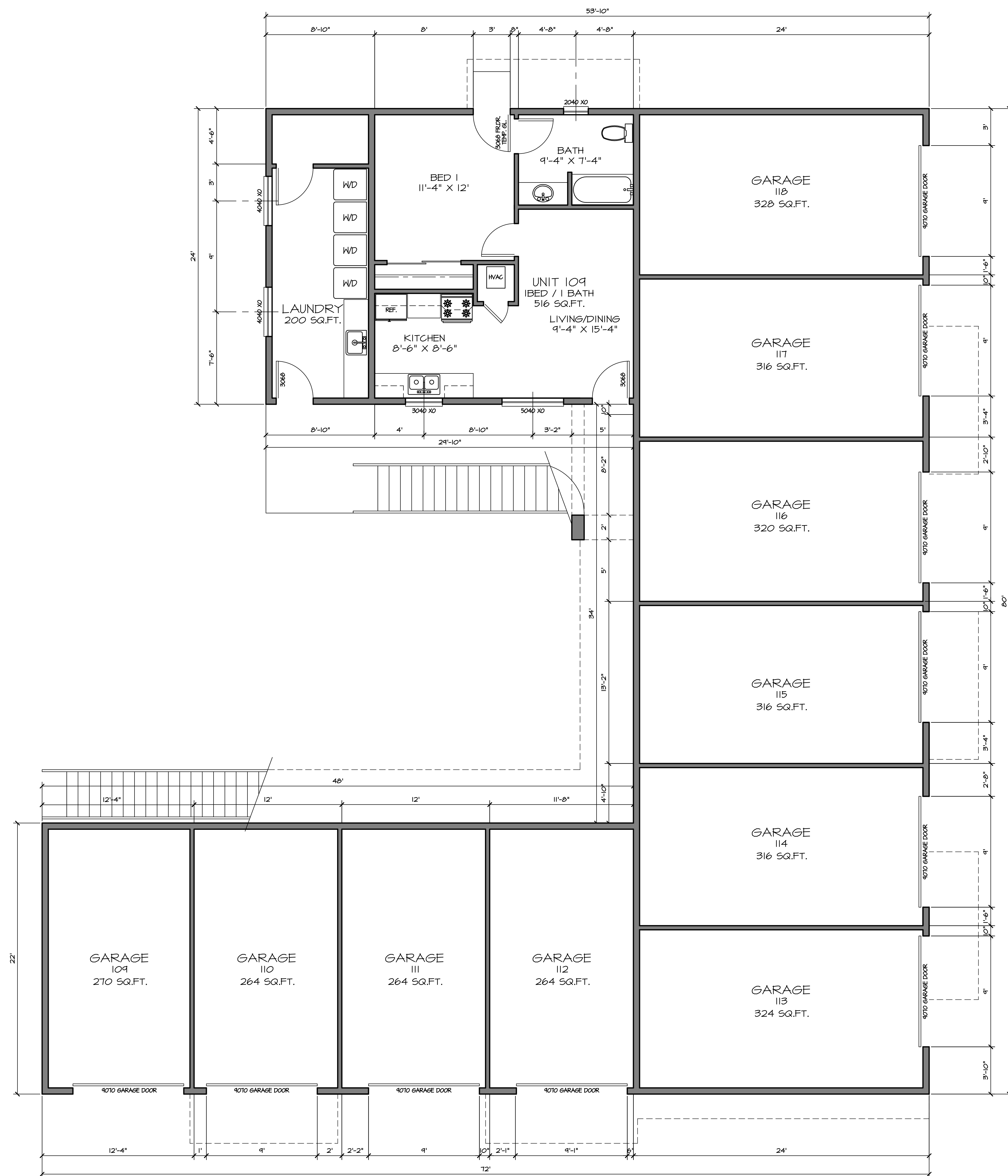


REVISIONS:

Linden Apartments
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 OWNER/BUILDER:
 DATE: 3/17/2019
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 SHEET: A3.2

Building 'A' 2nd Floor Plan





Building 'B'
1st Floor Area:

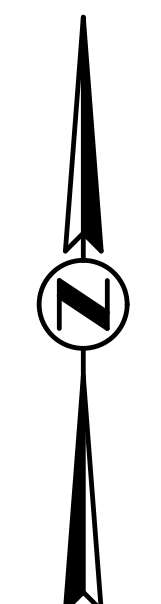
UNIT 109 LIVING SPACE:	516 sq. ft.
LAUNDRY:	200 sq. ft.
GARAGE 109:	270 sq. ft.
GARAGE 110:	264 sq. ft.
GARAGE 111:	264 sq. ft.
GARAGE 112:	264 sq. ft.
GARAGE 113:	324 sq. ft.
GARAGE 114:	316 sq. ft.
GARAGE 115:	316 sq. ft.
GARAGE 116:	320 sq. ft.
GARAGE 117:	316 sq. ft.
GARAGE 118:	328 sq. ft.
1ST FLR. LIVING AREA:	516 sq. ft.
TOTAL 1ST FLR. AREA:	3,640 sq. ft.

2nd Floor Area:

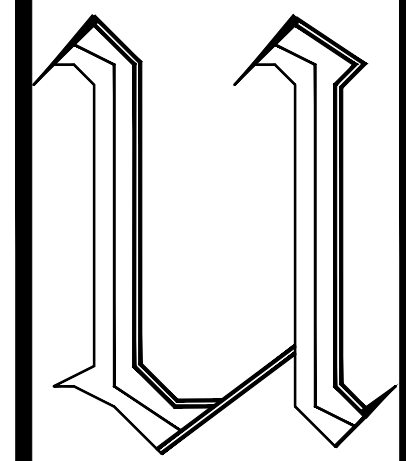
UNIT 213 LIVING SPACE:	528 sq. ft.
UNIT 213 BALCONY:	48 sq. ft.
UNIT 214 LIVING SPACE:	528 sq. ft.
UNIT 214 BALCONY:	48 sq. ft.
UNIT 215 LIVING SPACE:	1,000 sq. ft.
UNIT 215 BALCONY:	48 sq. ft.
UNIT 216 LIVING SPACE:	358 sq. ft.
UNIT 216 BALCONY:	48 sq. ft.
UNIT 217 LIVING SPACE:	100 sq. ft.
UNIT 217 BALCONY:	48 sq. ft.
UNIT 218 LIVING SPACE:	122 sq. ft.
UNIT 218 BALCONY:	48 sq. ft.
2ND FLR. LIVING AREA:	3,734 sq. ft.
TOTAL 2ND FLR. AREA:	4,022 sq. ft.

Total Building Area:

TOTAL 1ST FLOOR AREA:	3,640 sq. ft.
TOTAL 2ND FLOOR AREA:	4,022 sq. ft.
TOTAL BUILDING AREA:	7,120 sq. ft.



Building 'B' - 1st Floor Plan



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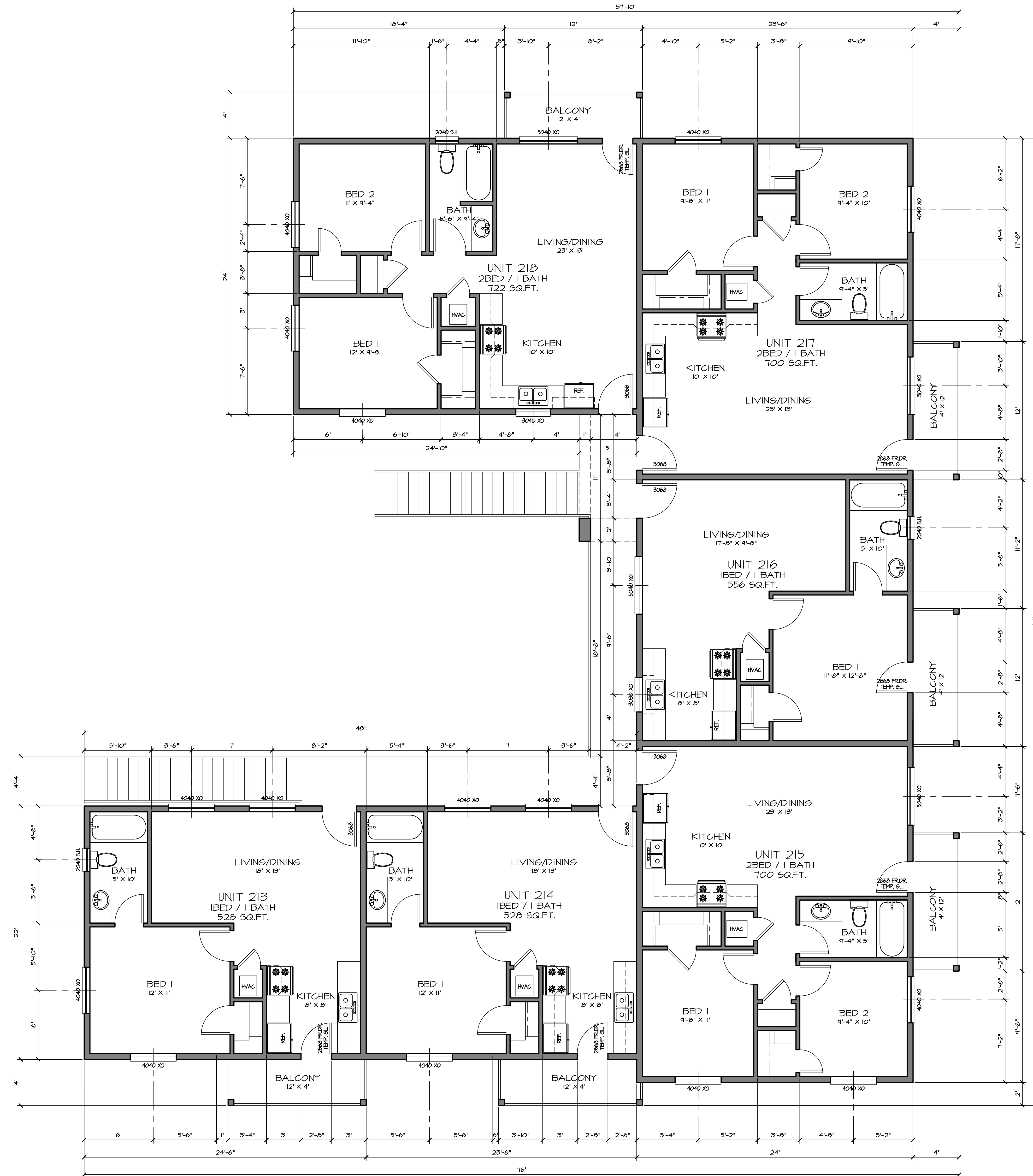


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PO BOX 925 MADERA, CA 93639

DATE: 3/17/2019
SCALE: 1/4" = 1'-0"
JOB NO.: LINDEN APT.
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A3.3



Building 'B'
1st Floor Area:

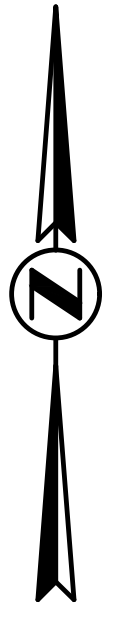
UNIT 104 LIVING SPACE:	516 sq. ft.
LAUNDRY:	200 sq. ft.
GARAGE 104:	210 sq. ft.
GARAGE 110:	264 sq. ft.
GARAGE 111:	264 sq. ft.
GARAGE 112:	264 sq. ft.
GARAGE 113:	324 sq. ft.
GARAGE 114:	316 sq. ft.
GARAGE 115:	316 sq. ft.
GARAGE 116:	520 sq. ft.
GARAGE 117:	316 sq. ft.
GARAGE 118:	328 sq. ft.
TOTAL 1ST FLR. AREA:	516 sq. ft.

2nd Floor Area:

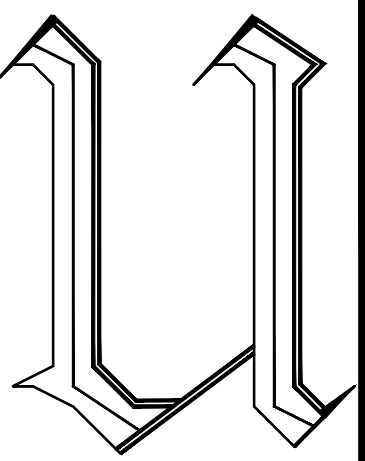
UNIT 213 LIVING SPACE:	528 sq. ft.
UNIT 213 BALCONY:	48 sq. ft.
UNIT 214 LIVING SPACE:	528 sq. ft.
UNIT 214 BALCONY:	48 sq. ft.
UNIT 215 LIVING SPACE:	700 sq. ft.
UNIT 215 BALCONY:	48 sq. ft.
UNIT 216 LIVING SPACE:	556 sq. ft.
UNIT 216 BALCONY:	48 sq. ft.
UNIT 217 LIVING SPACE:	700 sq. ft.
UNIT 217 BALCONY:	48 sq. ft.
UNIT 218 LIVING SPACE:	722 sq. ft.
UNIT 218 BALCONY:	48 sq. ft.
2ND FLR. LIVING AREA:	3,734 sq. ft.
TOTAL 2ND FLR. AREA:	4,022 sq. ft.

Total Building Area:

TOTAL 1ST FLOOR AREA:	3,648 sq. ft.
TOTAL 2ND FLOOR AREA:	4,022 sq. ft.
TOTAL BUILDING AREA:	7,670 sq. ft.



Building 'B' - 2nd Floor Plan



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REVISIONS:

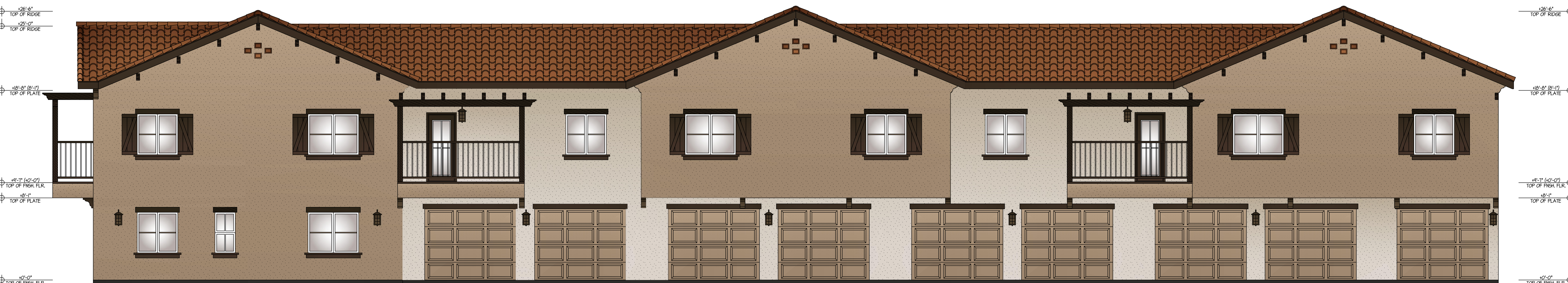
OWNER/BUILDER:
Linden Apartments
Ubaldo & Marina Garcia
Tel. (559) 871-5534
Email: villadiubaldo@hotmail.com

DATE: 3/17/2019
SCALE: 1/4" = 1'-0"
JOB NO.: LINDEN APT.
SHEET

A3.4

EXTERIOR FINISH SCHEDULE

MATERIAL	DESCRIPTION / COLOR				
1	EXTERIOR DOORS	MATERIAL: FIBERGLASS COLOR: SHERWIN-WILLIAMS 6103 TEA CHEST	11	DECORATIVE TERRACOTTA VENT	MATERIAL: FIBERGLASS COLOR: TERRACOTTA CLAY
2	MISCELLANEOUS METALS DOWNSPOUT, RAILINGS, VENTS, ETC.	26 GA. GALVANIZED SHEET METAL, PAINTED; COLOR TO MATCH ADJACENT SURFACE	12	DECORATIVE COACH LIGHT	MATERIAL: METALLIC COLOR: DARK BROWN
3	BUILDING ADDRESS SIGN	INTER LIGHT ADDRESS SIGNS 1/2" HIGH WHITE NUMBERS ON A GRAY BACKGROUND	13	WOOD FASCIA	MATERIAL: WOOD COLOR: SHERWIN-WILLIAMS 6103 TEA CHEST
4	DECORATIVE RAILING	MATERIAL: WROUGHT IRON COLOR: SHERWIN-WILLIAMS 6104 KAFEE	14	GARAGE DOORS	MATERIAL: HOLLOW METAL COLOR: SHERWIN-WILLIAMS 6123 BAGUETTE
5	TERRACOTTA CONCRETE TILE	MATERIAL: CONCRETE TILE COLOR: TERRACOTTA CLAY	15		
6	DECORATIVE STUCCO TRIM	MATERIAL: STUCCO FOAM COLOR: SHERWIN-WILLIAMS 6104 KAFEE	16		
7	STUCCO WALLS	MATERIAL: CONCRETE STUCCO COLOR: SHERWIN-WILLIAMS 6101 SOUNDS OF TIME	17		
8	STUCCO TRIM & MOLDING	MATERIAL: CONCRETE STUCCO COLOR: SHERWIN-WILLIAMS 6103 TEA CHEST	18		
9	VINYL WINDOW	MATERIAL: VINYL WINDOW COLOR: WHITE FRAME	19		
10	CONCRETE STEPS	MATERIAL: CONCRETE COLOR: NATURAL	20		



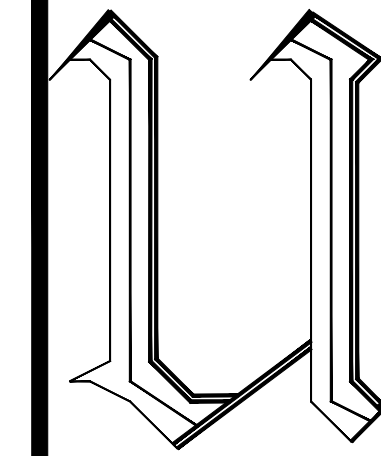
Building 'A' - Right Side Elevation



Building 'A' - Left Side Elevation

Building 'A' - Side Elevations

SCALE: 1/4" = 1'-0"



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MADERA, CA 93639

DATE: 3/17/2019
SCALE: 1/4" = 1'-0"
JOB NO.: LINDEN APT.
SHEET

A5.1

EXTERIOR FINISH SCHEDULE

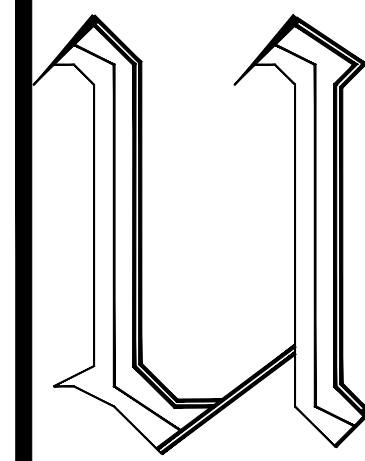
MATERIAL	DESCRIPTION / COLOR				
1	EXTERIOR DOORS	MATERIAL: FIBERGLASS COLOR: SHERWIN-WILLIAMS 6103 TEA CHEST	11	DECORATIVE TERRACOTTA VENT	MATERIAL: FIBERGLASS COLOR: TERRACOTTA CLAY
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3	BUILDING ADDRESS SIGN	INTER LIGHT ADDRESS SIGNS w/ 12" HIGH WHITE NUMBERS ON A GRAY BACKGROUND	13	WOOD FASCIA	MATERIAL: WOOD COLOR: SHERWIN-WILLIAMS 6103 TEA CHEST
4	DECORATIVE RAILING	MATERIAL: WROUGHT IRON COLOR: SHERWIN-WILLIAMS 6104 KAFEE	14	GARAGE DOORS	MATERIAL: HOLLOW METAL COLOR: SHERWIN-WILLIAMS 6123 BAGUETTE
5	TERRACOTTA CONCRETE TILE	MATERIAL: CONCRETE TILE COLOR: TERRACOTTA CLAY	15		
6	DECORATIVE STUCCO TRIM	MATERIAL: STUCCO FOAM COLOR: SHERWIN-WILLIAMS 6104 KAFEE	16		
7	STUCCO WALLS	MATERIAL: CONCRETE STUCCO COLOR: SHERWIN-WILLIAMS 6101 SOUNDS OF TIME	17		
8	STUCCO TRIM & MOLDING	MATERIAL: CONCRETE STUCCO COLOR: SHERWIN-WILLIAMS 6103 TEA CHEST	18		
9	VINYL WINDOW	MATERIAL: VINYL WINDOW COLOR: WHITE FRAME	19		
10	CONCRETE STEPS	MATERIAL: CONCRETE COLOR: NATURAL	20		



Building 'B' - Front Elevation (Courtyard Side)



Building 'B' - Rear Elevation



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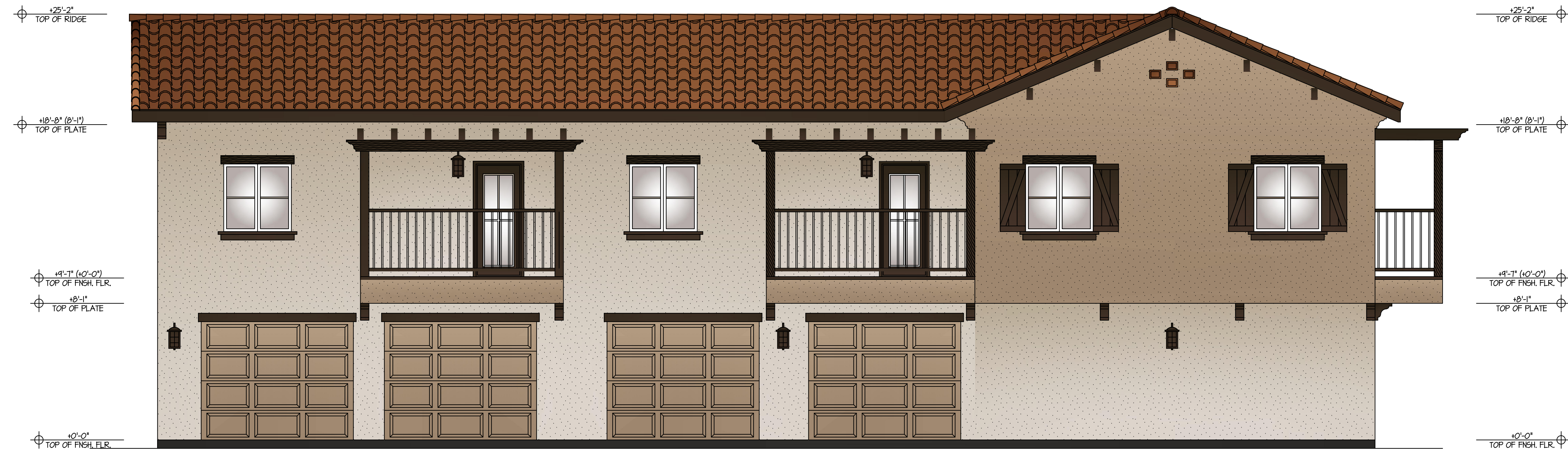
REVISIONS:

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 Email: villadiubaldo@hotmail.com
 PO BOX 925 MADERA, CA 93639

DATE: 3/17/2019
 SCALE: 1/4" = 1'-0"
 JOSEPH LINDEN APT.
 SHEET

EXTERIOR FINISH SCHEDULE

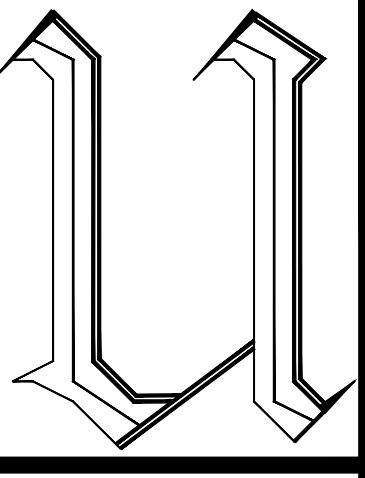
MATERIAL	DESCRIPTION / COLOR		
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2	MISCELLANEOUS METALS DOWNSPOUT, RAILING, VENTS, ETC.	26 GA. GALVANIZED SHEET METAL, PAINTED; COLOR TO MATCH ADJACENT SURFACE	12
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9	VINYL WINDOW	MATERIAL: VINYL WINDOW COLOR: WHITE FRAME	19
10	CONCRETE STEPS	MATERIAL: CONCRETE COLOR: NATURAL	20



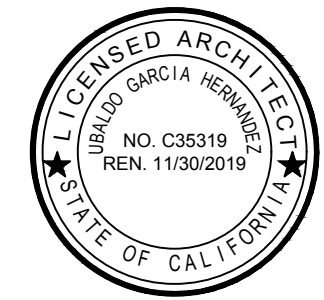
Building 'B' - Right Side Elevation



Building 'B' - Left Side Elevation



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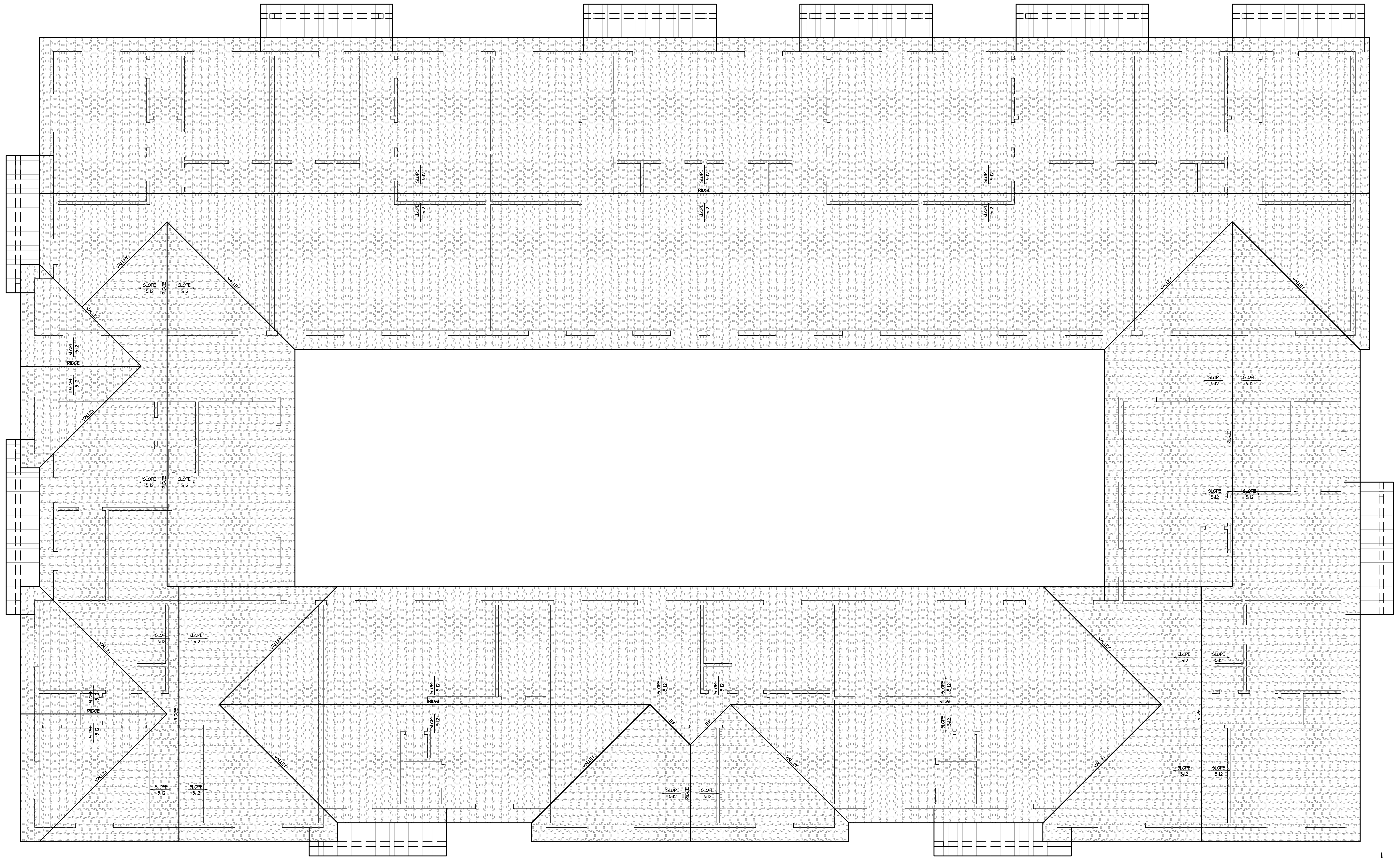
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DATE
 3/17/2019
 SCALE
 1/4" = 1'-0"
 JOBSITE
 LINDEN APT.
 SHEET

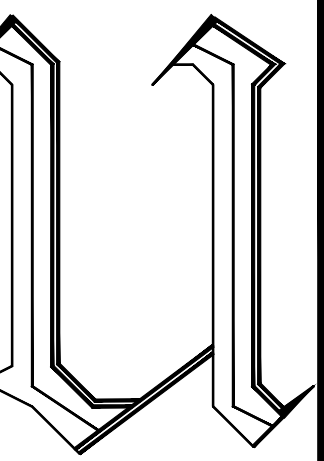
A5.3

Building 'B' - Side Elevations



Building 'A' Roof Plan

SCALE: 1/4" = 1'-0"



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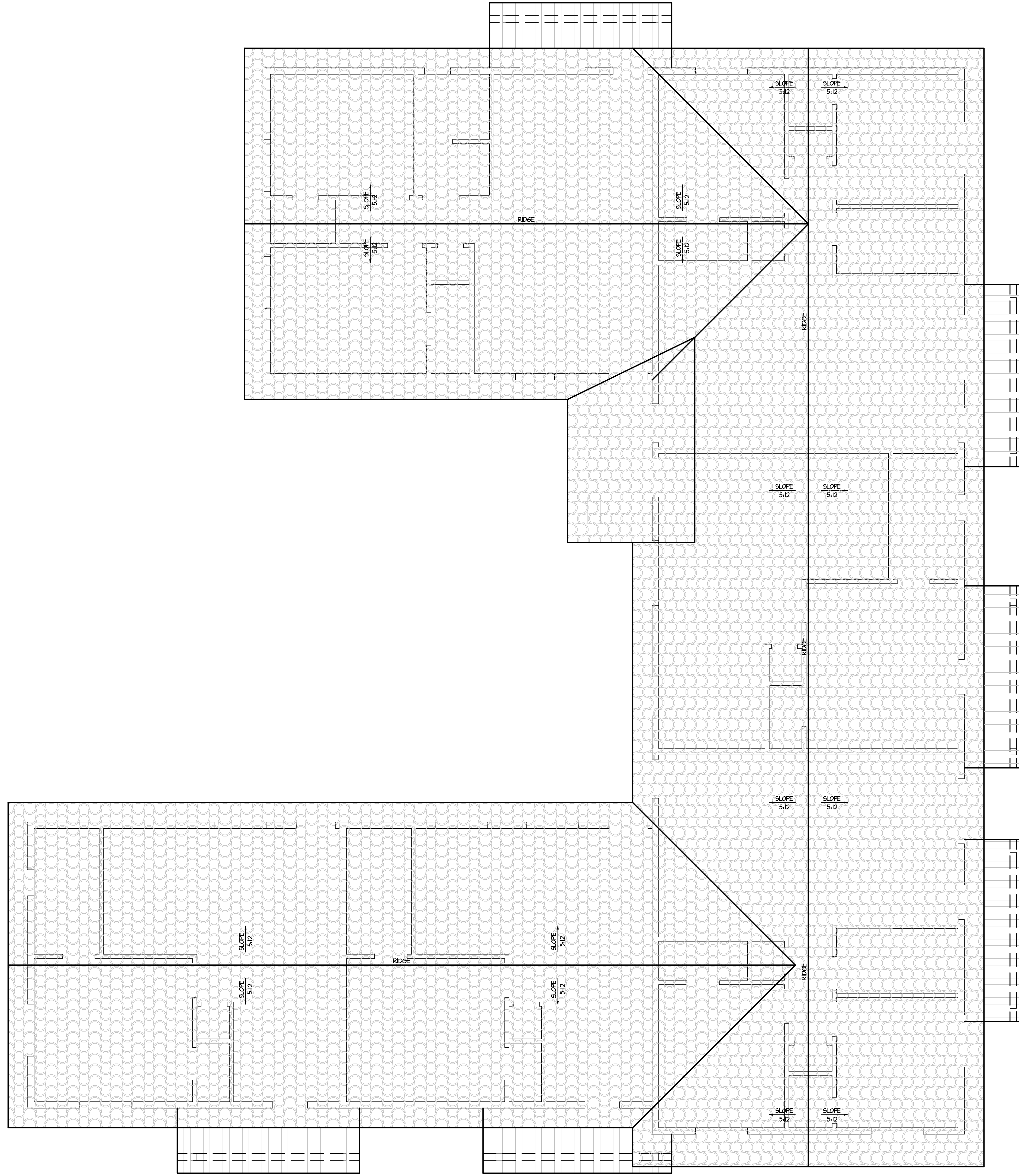


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DATE: 3/17/2019
 SCALE: 1/4" = 1'-0"
 JOB NO: LINDEN APT.
 SHEET

A9.0



Building 'B' Roof Plan

SCALE: 1/4" = 1'-0"

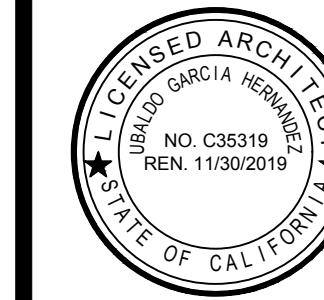
DATE:
3/17/2019
SCALE:
1/4" = 1'-0"
JOB NO.:
LINDEN APT.
SHEET

A9.1

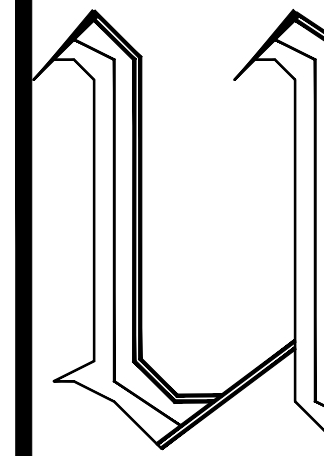
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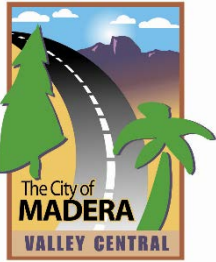
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**PPL 2019-06 & VAR 2019-05
STAFF IS REQUESTING THIS ITEM BE
CONTINUED TO THE DECEMBER 10, 2019
PLANNING COMMISSION HEARING**



CITY OF MADERA PLANNING COMMISSION

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

Staff Report: Parra Fourplex REZ 2019-05, PPL 2019-08 & Negative Declaration Item # 3 – November 12, 2019

PROPOSAL: Consideration of a request for a precise plan to provide for the development of a fourplex and the rezoning of the property from the C1 (Light Commercial) Zone District to the PD-3000 (Planned Development) Zone District.

APPLICANT:	Tony Galindo & Terry Armentrout	OWNER:	Rodrigo Parra
ADDRESS:	No address (Vacant Land)	APN:	003-210-029
APPLICATION:	REZ 2019-05 & PPL 2019-08	CEQA:	Negative Declaration

LOCATION: The project is located approximately 450 feet north of the intersection of Sherwood Way and Owens Street.

STREET ACCESS: The project proposes access to Owens Street.

PARCEL SIZE: Approximately 0.29 acres.

GENERAL PLAN DESIGNATION: MD (Medium Density)

ZONING DISTRICT:

Current:	C1 (Light Commercial)
Proposed:	PD-3000 (Planned Development)

SITE CHARACTERISTICS: The project site is surrounded by an apartment complex to the north, commercial development to the west, undeveloped land to the south and rural residential properties to the east.

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

SUMMARY: The applicant proposes a rezone and a precise plan for the development of a residential fourplex. The rezone from the C1 (Light Commercial) Zone District to the PD-3000 (Planned Development) Zone District allows for consistency with the underlying MD (Medium Density) General Plan land use designation. The project’s site design, architecture and open space comply with the goals and policies of the General Plan and development standards of the PD Zone District. Off-street parking complies with the parking requirements of the City for multi-family uses.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3-4.101 Planned Development Zones

MMC § 10-3.1501 Amendments

MMC § 10-3-4.104 Precise Plan

California Public Resource Code § 21000 "CEQA", California Environmental Quality Act

The City's Zoning Ordinance allows for the approval of a precise plan subject to the Planning Commission (Commission) being able to make findings that the establishment, maintenance or operation of the development 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 or to the general welfare of the City.

If the Commission cannot make the appropriate findings, the development should be denied. Conditions may be attached to the approval of the precise plan 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.

PRIOR ACTION

No prior action.

ANALYSIS

Rezone

The residential project proposal requires the rezoning of the property from the C1 (Light Commercial) Zone District to the PD-3000 (Planned Development) Zone District to provide consistency between the proposed zone and current MD (Medium Density) General Plan land use designation. The rezone would allow for a maximum of four units where the current zoning would not allow for any residential dwelling units.

Density Requirements

Development within the MD (Medium Density) General Plan land use designation requires a density range of between 7.1 and 15 units per acre. The PD-3000 (Planned Development) Zone District provides for a maximum density of one unit for each 3,000 square feet of site area. Based on the project parcel area, the required density range is between three and four units. The proposal of four units provides consistency with the policies of the General Plan's Land Use Element specific to residential density in the MD (Medium Density) General Plan land use designation and the PD-3000 (Planned Development) Zone District.

Precise Plan

Precise plans are utilized within the PD (Planned Development) Zone District to establish specific development and improvement standards for a proposed project. Precise plans address site features, such as infrastructure and services, circulation and access, appearance, landscaping and open space.

The applicant proposes four dwelling units encompassed within one continuous one-story residential building. The two exterior dwelling units contain two bedrooms and two bathrooms, and the two interior dwelling units contain three bedrooms and two bathrooms. An open space common area is proposed

adjacent to the front of the residential structure is a three-foot tall decorative block wall separating the parking field from the landscaped area. Each dwelling unit will have a private backyard area.

Public Infrastructure

Public infrastructure and utilities required by the Madera Municipal Code (MMC) and the General Plan will be constructed in support of the project. Required infrastructure includes water, sewer and storm drainage infrastructure consistent with the City's master plans.

The multifamily complex is required to be annexed into the Citywide Community Facilities District (CFD) 2005-01 to collect assessments for increased demand on fire, police, storm water drainage and parks. The properties are also required to annex into a lighting and landscape maintenance district.

General Plan Conformance

Any project involving new construction requires consistency with the City of Madera's General Plan goals and policies. There are a multitude of goals and policies specific to each type of use in the City, such as residential, commercial, industrial, etc. The proposal of a new residential fourplex requires analysis of the General Plan's goals and policies specific to residential development including site design, architecture, and landscaping and open space.

Site Design

Applicable Policies

Policy CD-2 All new development shall adhere to the basic principles of high-quality urban design, architecture and landscape architecture including, but not limited to, human-scaled design, pedestrian orientation, interconnectivity of street layout, siting buildings to hold corners, entryways, gathering points and landmarks.

Policy CD-4 Site layout and building design shall take into consideration Madera's warm, dry climate, by including trees, landscaping and architectural elements to provide shade.

Policy CD-29 All housing units shall be oriented to the street, parks, or a shared common area.

The site layout proposes the parking field at the front of the property with an open space area between the parking field and the residential fourplex building.

A pedestrian path of travel connects from the parking field to the entrance of each dwelling unit. Pedestrian orientation is not ideal as an ADA path of travel is proposed to cross behind parking stalls. The residential fourplex building is located at the back of the property and does not hold any corner, although based on the property's width, it would be difficult to hold the corner without sacrificing other zoning ordinance requirements, such as open space and parking. The open space common area can be considered a gathering point for the residents. Overall, the site design does not substantially comply with Policy CD-2 noting that based on the property's width, it is difficult to comply with this policy.

The site layout does include landscaping and architectural elements that provide shade for the property. The residential fourplex building is oriented to the open space area, which cumulatively provides consistency with Policies CD-4 and CD-29.

Architecture

Applicable Policies

- Policy CD-1 The City of Madera will require that all new development is well-planned and of the highest possible quality. The City will seek to build an image of Madera as a contemporary small city with vibrant, livable neighborhoods and walkable pedestrian- and bicycle-oriented development.*
- Policy CD-33 The exterior of residential buildings shall be varied and articulated to provide visual interest to the streetscape.*
- Policy CD-34 The exterior of residential buildings shall reflect attention to detail as necessary to produce high architectural design and construction quality. Where side and/or rear exterior elevations of residential buildings are visible from any street or public rights-of-way, they shall incorporate architectural treatments in keeping with the front (primary) elevation.*
- Policy CD-35 The City encourages a variety of features such as front porches and verandas in all new residential development.*
- Policy CD-39 New homes built in existing residential neighborhoods should match their context in terms of design and scale.*

The eastern and southern elevations provide for a mix of exterior materials and treatments including stucco, stone veneer, lapboard siding, windows with vinyl framing and shutters, and gable vents. The exterior materials are high quality, varied and articulated throughout the eastern and southern elevations, and the eastern elevation (side) incorporates the same architectural design as the northern (primary) elevation, consistent with Policies CD-1, CD-33 and CD-34. The entrances of the four dwelling units each propose a covered front porch, consistent with Policy CD-35. Although the immediate vicinity of the project site is primarily vacant land, the architectural quality is consistent with the adjacent Arborpoint Apartments north of the project site.

Though the north and west elevations are not necessarily visible from public view, there is an attempt to provide architectural quality consistent with the primary elevations. The western elevation proposes stucco and lapboard siding, windows with vinyl framing and shutters, and a gable vent. The northern elevation includes stucco and lapboard siding, windows and a gable vent.

The carports have a matching roof material to the residential fourplex building and stone veneer that wraps completely around each post about halfway, providing architectural compatibility with the residential fourplex building. Cumulatively, the proposed elevations comply with the goals and policies of the General Plan.

Landscaping and Open Space

Applicable Policies

CD – Goal 4 Attractive Streetscapes in All Areas of Madera

- Policy LU-21 Multi-family projects shall include functional, accessible outdoor areas and improvements which provide space for both private and public gatherings. These may include tot lots for pre-school children; passive recreation areas for lounging, sun bathing, barbecuing, quiet conversation and reading; and private patios or balconies. To the extent possible, these areas shall be shaded by trees and/or shade structures.*

Landscaping plans are required as an element of the precise plan. Attention to detail and aesthetic design is necessary to satisfy Goal 4 of the Community Design Element. Staff recommends landscape and

irrigation plans consistent with the State’s Model Water Efficient Landscape Ordinance be submitted to the Planning Department for review and approval prior to issuance of building permits.

The proposed site plan includes a common open space area with benches that can be utilized as a passive recreation area for lounging, quiet conversation and reading, consistent with Policy LU-21.

Open Space Requirements

The PD Zone District requires a minimum of 750 square feet of open space per residential unit, which equates to a minimum requirement of 3,000 square feet of open space. The proposed site plan provides for approximately 3,650 square feet of open space, complying with the open space requirements of the PD Zone District.

The City’s parkland acquisition ordinance establishes procedures for requiring the dedication of parkland, the payment of fees in-lieu thereof, or a combination of both. In this case, the dedication the payment of fees in-lieu of dedicated parkland is required.

Parking

In PD (Planned Development) zones, parking requirements are addressed as a component of required precise plans on a case-by-case basis. In this case, the project is required to utilize the traditional parking standards for a multi-family housing project. The parking standards for the project proposal are as follows:

UNIT TYPE	# OF UNIT TYPE	# OF STALLS REQD.
2 bed/2 bath	2	4
3 bed/2 bath	2	4
Guest Parking	-	0
Total Parking Required:		8
Total Parking Provided:		8
Total Covered Parking Required:		4
Total Covered Parking Provided:		4

There is a sufficient number of parking stalls (covered and uncovered) to serve residents of the fourplex.

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

The first of the four core vision statements is “A Well-Planned City.” The Commission, considering how the project and infrastructure can be maintained, is actively implementing this key concept of the Vision Plan. Moreover, approval of the project will help provide consistency with Strategy 131, which states, “Create well-planned neighborhoods throughout Madera that promote connectivity and inclusiveness with a mix of densities.”

RECOMMENDATION

The information presented in this report provides support for the adoption of a resolution recommending approval of the adoption of an ordinance rezoning the project parcels, adoption of a negative declaration for the project by the City Council, and conditional approval of the precise plan request by the Commission. It is recommended that the Commission consider the information in this report, as well as testimony in the public hearing, and make a determination on the negative declaration, REZ 2019-05 and PPL 2019-08, subject to the findings and conditions of approval.

PLANNING COMMISSION ACTION

The Commission will be acting on the negative declaration (recommendation), Rezone (REZ) 2019-05 (recommendation) and Precise Plan (PPL) 2019-08 (contingent action) and determine 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 applications is subject to appeal to the City Council within fifteen calendar days of the Commission's action.

Motion 1a: Move to adopt a resolution recommending to the City Council introduction of an ordinance rezoning the project property (APN: 003-210-029), and adopt a mitigated negative declaration for the project, 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 recommended for adoption in accordance with CEQA.
- City services and utilities are available or can be extended to serve the area.
- REZ 2019-05 will provide the required consistency between the General Plan and zoning.

Motion 1b: Move to approve PPL 2019-08, subject to the findings and conditions of approval as listed, and subject to the following condition:

The approval of PPL 2019-08 shall become final and effective immediately only after the City Council of the City of Madera both i) adopts the Negative Declaration for the project, and ii) REZ 2019-05 (collectively "Council Approvals"). If all of the Council Approvals are not made within 180 days of the contingent approval by the Planning Commission, then PPL 2019-08 shall be returned to the Planning Commission for further consideration and a final decision. If Council Approvals are made within 180 days of the adoption of this Resolution, but any change is made by the Council to any of the Council Approvals in a manner that could reasonably affect the findings of the Planning Commission herein, or require a modification or addition of a condition of approval to be consistent with a

Council Approval, then PPL 2019-08 shall be returned to the Planning Commission for further consideration and a final decision.

Findings

- An initial study and negative declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) which is recommended for approval by the City Council as part of REZ 2019-05.
- City services and utilities are available or can be extended to serve the area.
- PPL 2019-08 is consistent with the purpose and intent of the PD (Planned Development) Zone District and does not conflict with City standards or other provisions of the Code.
- PPL 2019-08 satisfies the requirements for precise plans per Madera Municipal Code (MMC) Section 10-3.4.104.
- PPL 2019-08 is consistent with the goals and policies of the General Plan.
- PPL 2019-08 is compatible with the neighborhood and is not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or 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 PPL 2019-08.
2. 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 precise plan by the Planning Commission.
3. 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.
4. 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.
5. The project shall be developed in accordance with the conditions of approval listed herein and the approved site plan, floor plans, and elevation drawings. Minor modifications to the approved plans necessary 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.

6. Prior to issuance of building permits or any future division of the property, the applicant at their sole expense shall cause the property to be annexed into the Citywide Community Facilities District No. 2005-01 and shall pay all applicable fees.

Building Department

7. 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.
8. 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

9. Nuisance onsite lighting shall be redirected as requested by City Engineer within 48 hours of notification.
10. Impact fees shall be paid at time of building permit issuance.
11. 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, easement acceptance, encroachment permit processing, and improvement inspection fees.
12. Improvement plans signed and sealed by an engineer shall be submitted to the Engineering Division in accordance with the submittal process.
13. The improvement plans for the project shall include the most recent version of the City's General Notes.
14. 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.
15. Improvements within the City right-of-way require an encroachment permit from the Engineering Division.
16. All off-site improvements shall be completed prior to issuance of final occupancy.

17. The applicant shall coordinate with the United States Post Office relative to the proposed location of the postal boxes for the project.

Sewer

18. New or existing sewer service connection(s) shall be constructed or upgraded to current City standards.
19. Existing sewer service connection(s) shall be constructed or upgraded to current City standards.
20. Sewer main connections 6" and larger diameter shall require manhole installation.
21. The developer shall reimburse its fair share cost to the City for the previously constructed sewer main along the entire project frontage.
22. Existing septic tanks, if found, shall be removed pursuant to issuance of a permit and inspection by the City of Madera Building Department.

Storm Drain

23. Storm runoff from this project site is planned to go to the Sherwood Basin located southeast 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.
24. Support calculations shall be provided that prove the existing storm drain facilities are capable of intercepting runoff in accordance with the provisions of the Storm Drainage System Master Plan. Should said calculations indicate that additional runoff generated by this project will result in exceedance of the standards found in the Storm Drainage System Master Plan, portions of the Master Plan improvements may be required as part of this project's off-site improvements or any increase in runoff shall be retained or detained on-site to limit post-development runoff to no more than that generated for pre-development. Temporary basins are not an acceptable mitigation measure.
25. 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. CAS000004. For the purpose of this proposed development, post development runoff shall match or be less than pre-development runoff. The development shall submit to future inspections by the City or other designated agencies relative to the improvements installed as a result of this condition to ensure they remain in compliance with the conditions imposed under this condition.

Streets

26. The west-half of Owens Street along the entire project parcel frontage shall be improved to an 80-foot collector street in accordance with City Standard Drawing ST-4. Said improvements shall include, but not be limited to, curb and gutter, sidewalk, landscaping, street lights, fire hydrants and a minimum of 52 feet of asphaltic paved roadway surface (24 feet from two 12-foot southbound travel lanes, 12-foot center turn lane, 12-foot northbound lane, 4-foot paved shoulder and drainage swale) with transitional paving as necessary. All improvements shall be constructed per current City standards. "No Parking" signs shall be posted along the project parcel frontage.

27. The proposed driveway approach providing site access from Owens Street shall be constructed as a street-type entrance with a minimum face curb radius of fifteen feet to include the construction of standard ADA access ramps.
28. The sidewalk pattern shall match the pattern on the adjacent property to the north.
29. The developer shall dedicate a Public Utility Easement (PUE) ten-feet wide along the entire project parcel frontage on Owens Street. A \$466.00 fee or the fee in effect at that time shall be paid with the Engineering Department.
30. The developer shall annex into and execute such required documents that may be required to participate in Landscape Maintenance District (LMD) Zone 51 for the purposes of participating in the cost of maintaining landscape improvements within said zone.
31. All public utilities shall be undergrounded, except transformers, which may be mounted on pads.

Water

32. Existing or new water service connection(s) shall be constructed to current City standards including Automatic Meter Reading (AMR) water meter installed within City right-of-way and backflow prevention device installed within private property.
33. A separate water meter and backflow prevention device will be required for landscape area.
34. Prior to the issuance of an encroachment permit, the developer shall reimburse its fair share cost to the City for the previously constructed water main along the entire project parcel frontage.
35. Existing water service connections that will not be used for the project shall be abandoned at the mains, per City of Madera standards.
36. Existing wells, if any, shall be abandoned as directed and permitted by the City of Madera for compliance with State standards.

Fire Department

37. Building permits shall be required to be approved for the construction of the buildings.
38. One 2A10BC-rated fire extinguisher shall be required for each 3,000 square feet of area on each floor level. A maximum travel distance of 75 feet is permitted.
39. Fire lanes shall be properly posted.
40. All buildings shall be equipped with fire sprinklers.
41. Fire sprinkler monitoring alarms shall be required for each structure. Fire alarm control units shall be placed in a closet used exclusively for fire equipment.
42. An on-site fire hydrant shall be required if any of the structures exceed fire flow or permissible hose lay distances as expressed in California Fire Code Appendices B & C.

Planning Department

General

43. On-site vandalism and graffiti shall be corrected per the Madera Municipal Code.
44. 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 on the site.
45. 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.
46. 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.

Building and Site Aesthetics

47. The construction of the residential fourplex building approved as part of PPL 2019-08 shall be in close conformance with the approved elevation drawings, as reviewed and approved by the Commission.
48. The construction of buildings approved as part of PPL 2019-08 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 Commission approval.
49. 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
50. 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.
51. All parking lot lights/lighting shall be incorporated into landscaped areas.
52. The developer shall contact the City Engineer when all site lighting is operational. Additional light screening may be required.

Landscaping

53. 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.
 - Areas throughout the project shall be planted so as to provide a minimum of 70% vegetative cover upon maturity.

- Landscaped areas shall be developed along all street frontages and within parking fields.
 - Shade trees shall be planted throughout the parking lot, with a minimum of one tree per five parking spaces.
 - Landscaped areas are to be provided with permanent automatic irrigation systems.
 - 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.
54. 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.
55. 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

56. Parking stalls shall be developed in close conformance with the approved site plan.
57. 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.
58. On-site parking shall be provided at all times in conformance with the Municipal Code. 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

59. 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.
60. Address sign designs shall be approved by the Planning Department prior to issuance of building permits.
61. All proposed construction announcement sign uses shall conform to the Municipal Sign Ordinance.

Walls and Fences

62. A trash enclosure shall be constructed of masonry block consistent with city standards with a finish color to match the primary structure. The location of the trash enclosure shall be consistent with the approved site plan.

San Joaquin Valley Air Pollution Control District

63. 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 REZ 2019-05 and PPL 2019-08 to the December 10, 2019 Commission hearing, for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for REZ 2019-05 and PPL 2019-08, based on the following findings: (specify)

ATTACHMENTS

- Attachment 1: Aerial Map
- Attachment 2: SJVAPCD Letter
- Attachment 3: MUSD Letter
- Attachment 4: Draft Resolution
- Attachment 5: Draft Ordinance
- Attachment 6: Initial Study & Negative Declaration
- Attachment 7: Site Plan, Floor Plan & Elevations

Attachment 1: Aerial Map



Attachment 2: SJVAPCD Letter



October 1, 2019

Robert Holt
City of Madera
205 W. Fourth Street
Madera, CA 93637

Project: PPL 2019-08

District CEQA Reference No: 193-20190022

Dear Mr. Holt:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of apartments, low rise with a total of 4 dwelling units (Project), located at 003-210-029 in Madera, CA. The District offers the following comments:

1. Significance Impact for Annual Criteria Pollutants Emissions - The 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) - District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site fees. The Project is not subject to District Rule 9510 because the project size is below the Rule 9510 applicability threshold for a residential development.

Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for the project

Seyed Sadredin
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

level approval from the public agency. 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. Regulation VIII (Fugitive PM10 Prohibitions) - The Project will be subject to Regulation VIII. Information on how to comply with Regulation VIII can be found online at: http://www.valleyair.org/busind/comply/PM10/compliance_PM10.htm.
4. Other District Rules and Regulations - The above list of rules is neither exhaustive nor exclusive. For example, the Project may be subject to the following District rules, including: Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). To identify other District rules or regulations that apply to this Project or to obtain information on the District's permit requirements, such as an Authority to Construct (ATC), the project proponent is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888 or e-mail SBA@valleyair.org. Current District rules can be found online at the District's website at: www.valleyair.org/rules/1ruleslist.htm.
5. Potential Air Quality Improvement Measures - The District encourages the following air quality improvement measures to further reduce Project related emissions from construction and operation. A complete list of potential air quality improvement measures can be found online at: <http://www.valleyair.org/ceqaconnected/aqimeasures.aspx>.
 - a. Cleaner Off-Road Construction Equipment - This measure is to utilize off-road construction fleets that can achieve fleet average emissions equal to or cleaner than the Tier III emission standards. This can be achieved through any combination of uncontrolled engines and engines complying with Tier III and above engine standards.
 - b. Improve Walkability Design - This measure is to improved design elements to enhance walkability and connectivity. Improved street network characteristics within a neighborhood include street accessibility, usually measured in terms of average block size, proportion of four-way intersections, or number of intersections per square mile. Design is also measured in terms of sidewalk coverage, building setbacks, street widths, pedestrian crossings, presence of street trees, and a host of other physical variables that differentiate pedestrian-oriented environments from auto-oriented environments.
 - c. Improve Destination Accessibility - This measure is to locate the project in an area with high accessibility to destinations. Destination accessibility is measured in terms of the number of jobs or other attractions reachable within a given travel time, which tends to be highest at central locations and lowest at peripheral ones. The location of the project also increases the potential for pedestrians to walk and bike to these destinations and therefore reduces the VMT.
 - d. Increase Transit Accessibility - This measure is to locate the project with high

density near transit which will facilitate the use of transit by people traveling to or from the Project site. The use of transit results in a mode shift and therefore reduced VMT. A project with a residential/commercial center designed around a rail or bus station, is called a transit-oriented development (TOD). The project description should include, at a minimum, the following design features:

- A transit station/stop with high-quality, high-frequency bus service located within a 5-10 minute walk (or roughly ¼ mile from stop to edge of development), and/or
- A rail station located within a 20 minute walk (or roughly ½ mile from station to edge of development)
- Fast, frequent, and reliable transit service connecting to a high percentage of regional destinations
- Neighborhood designed for walking and cycling

The District recommends that a copy of the District's comment letter be provided to the project proponent.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call the District's Technical Services staff at (559) 230-6000 or e-mail ceqa@valleyair.org. When calling or emailing the District, please reference District CEQA number 193-20190022 .

Sincerely,

Amaud Marjollet
Director of Permit Services



Brian Clements
Program Manager

Attachment 3: MUSD Letter

MADERA UNIFIED SCHOOL DISTRICT
1902 Howard Road, Madera, California 93637
(559) 675-4500
FAX: (559) 675-1186
www.madera.k12.ca.us



Board of Trustees:
Ray G. Seibert, President
Ruben Mendoza, Clerk
Trustees:
Brent Fernandes, Joetta Fleak
Ed McIntyre, Lucy Salazar
Superintendent:
Todd Lile

September 30, 2019

Rob Holt
Planning Manager
City of Madera
205 W 4th St
Madera, CA 93637

SUBJECT: PPL 2019-08 & REZ 2019-05 – Parra Fourplex

Dear Mr. Holt:

The purpose of this letter is to provide school district information relative to the above-referenced applications and to comply with Business and Professions Code section 11010, subdivision (b)(11)(A) regarding the provision of school-related information to the subdivider/owner and the State Department of Real Estate.

Residential development resulting from the project will affect the District by generating students that will need to be housed in District schools. Using the approximate dwelling units and the District's student generation rates, we have estimated the number of students potentially generated by the proposed plan. Assuming the project is a fourplex, and the project is located on Owens Street, approximately 450 feet north of Sherwood Way, the following comments can be made at this time:

1. The number of students generated by the project is estimated as follows:

Grade Group	Rate	Units	Students
K-6	0.334	4	1.34
7-8	0.098	4	0.39
9-12	0.174	4	0.70
	0.606		2.43

2. Elementary School Information:

- a. The subject land is presently within the attendance area of the elementary school (grades K-6) listed below:

School Name: Nishimoto Elementary School
Address: 26460 Martin Street Madera, Madera CA, 93638
Telephone: (559) 664-8110
Capacity: 750
Enrollment: 725
School Schedule: Traditional

- b. It is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend an elementary school other than the above school, and (2) students residing in the project area may attend more than one elementary school within the District during their K-6 school years.

MADERA UNIFIED SCHOOL DISTRICT
1902 Howard Road, Madera, California 93637
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Trustees:
Brent Fernandes, Joetta Fleak
Ed McIntyre, Lucy Salazar

Superintendent:
Todd Lile

3. Intermediate School Information:

- a. The project area is currently served by the following middle school (grades 7-8):

School Name: Jack Desmond Middle School
Address: 26490 Martin Street, Madera, CA 93638
Telephone: (559) 664-1775
Capacity: 1,000
Enrollment: 873
School Schedule: Traditional

- b. It is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend a middle school other than the above school, and (2) students residing in the project area may attend more than one middle school within the District during their 7-8 school years.

4. High School Information:

- a. The project area is currently served by the following high school (grades 9-12):

School Name: Madera South High School
Address: 705 W. Pecan Ave. Madera CA 93637
Telephone: (559) 675-4450
Capacity: 3,230
Enrollment: 3,425
School Schedule: Traditional

- b. It is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend a high school other than the above school, and (2) students residing in the project area may attend more than one high school within the District during their 9-12 school years.

5. The Madera Unified School District currently levies a fee of \$5.00 per square foot for residential development. Any new development on the subject property will be subject to the development fee in place at the time fee certificates are obtained.

The District hereby requests that the information in this letter be provided by the owner/subdivider to all prospective purchasers of property within the project.

Thank you for the opportunity to comment on the project. Please contact my office if you have any questions regarding this letter.

Sincerely,

A handwritten signature in blue ink that reads "Rosalind Cox".

Rosalind Cox
Director of Facilities Planning and
Construction Management

Attachment 4: Draft Resolution

RESOLUTION NO. 1848

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF MADERA ADOPTION OF AN ORDINANCE APPROVING REZONE 2019-05 BY REZONING APPROXIMATELY 0.29 ACRES OF PROPERTY (APN: 003-210-029), LOCATED APPROXIMATELY 450 FEET NORTH OF THE INTERSECTION OF OWENS STREET AND SHERWOOD WAY FROM THE C1 (LIGHT COMMERCIAL) ZONE DISTRICT TO THE PD 3000 (PLANNED DEVELOPMENT) ZONE DISTRICT, AND ADOPT A NEGATIVE DECLARATION FOR THE PROJECT.

WHEREAS, State Law requires that local agencies adopt General Plans containing specific mandatory elements; and

WHEREAS, The City of Madera has adopted a Comprehensive General Plan Update and Environmental Impact Report, and the City of Madera is currently in compliance with State mandates relative to Elements of the General Plan; and

WHEREAS, State law also provides for periodic review, updates, and amendments of its various plans; and

WHEREAS, a proposal has been made to rezone approximately 0.29 acres of property (APN: 003-210-029), located approximately 450 feet of the intersection of Owens Street and Sherwood Way, from the C1 (Light Commercial) Zone District to the PD 3000 (Planned Development) Zone District, as shown in the attached Exhibit A; and

WHEREAS, the proposed rezone will provide the required consistency between the General Plan and Zoning Ordinance; and

WHEREAS, the rezone is compatible with the neighborhood and is not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or the City; and

WHEREAS, the City of Madera, acting as the Lead Agency, prepared an initial study and negative declaration for the project in compliance with the California Environmental Quality Act; and

WHEREAS, the negative declaration and rezoning were distributed for public review and comment to various local agencies and groups; and

WHEREAS, public notice of this public hearing was given by mail and published notice in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission has completed its review of the staff report and documents submitted for the proposed project, evaluated the information and considered testimony received as a part of the public hearing process.

WHEREAS, based upon the testimony and information presented at the hearing, including the initial study and negative declaration and all evidence in the whole record pertaining to this matter, the Commission found that the negative declaration has been prepared pursuant to the California Environmental Quality Act, 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 City of Madera, and desires to recommend the City Council adopt the negative declaration for the project in accordance with the California Environmental Quality Act.

WHEREAS, the Commission also desires to recommend the City Council approve Rezone 2019-05.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MADERA AS FOLLOWS:

1. The above recitals are true and correct.
2. The Planning Commission finds an environmental assessment initial study was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations. Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues. The Planning Commission of the City of Madera has reviewed the environmental assessment and recommended adoption of a negative declaration for this project as there is no substantial evidence in the record that this project may have significant direct, indirect or cumulative effects on the environment. The Planning Commission further finds the negative declaration reflects the Planning Commission's independent judgement and analysis,

and there would be no significant effect on the environment. The Planning Commission also finds the initial study and negative declaration were timely and properly published and notices as required by CEQA and comments, if any, have been appropriately received and assessed by the City. As such, the Planning Commission recommends the City Council adopt the negative declaration for this project.

3. The Planning Commission hereby finds that proposed rezoning, as shown in Exhibit A, is consistent with the General Plan, including the goals, policies and objectives of the General Plan, and is compatible with adjacent zoning and uses.

4. The Planning Commission hereby recommends the City Council adopt an ordinance approving Rezone 2019-05, which rezone the property as indicated on the attached Exhibit A.

5. This resolution is effective immediately.

* * * * *

Passed and adopted by the Planning Commission of the City of Madera this 12th day of November 2019, by the following vote:

AYES:

NOES: None

ABSTENTIONS: None

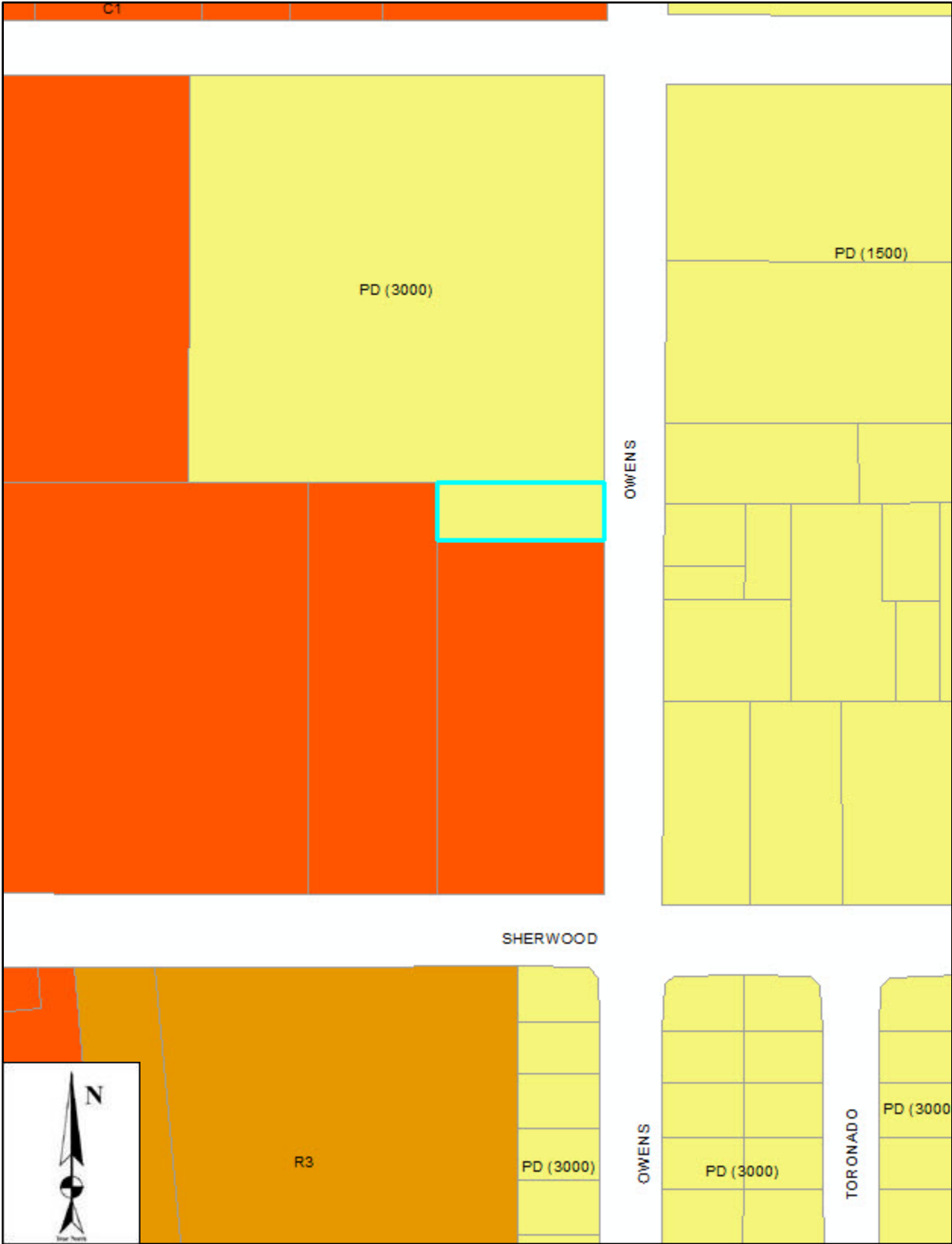
ABSENT: None

Robert Gran, Jr.
Planning Commission Chairperson

Attest:

Arnoldo Rodriguez
City Manager

EXHIBIT 'A'



Attachment 5: Draft Ordinance

DRAFT ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING APPROVING REZONE 2019-05 BY AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 0.29 ACRES OF PROPERTY (APN: 003-210-029) LOCATED APPROXIMATELY 450 FEET NORTH OF THE INTERSECTION OF OWENS STREET AND SHERWOOD WAY, TO THE PD 3000 (PLANNED DEVELOPMENT) ZONE DISTRICT.

THE CITY COUNCIL OF THE CITY OF MADERA DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds an environmental assessment initial study was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations. Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues. The Planning Commission of the City of Madera has also reviewed the environmental assessment and recommended adoption of a negative declaration for this project. Based on the entire review and assessment, and on the basis of the whole record before it, the City Council finds there is no substantial evidence in the record that this project may have a significant direct, indirect or cumulative effects on the environment. The City Council further finds the Initial Study and Negative Declaration reflects the City Council's independent judgement and analysis, and that there would be no significant effect on the environment. The City Council further finds the Initial Study and Negative Declaration were timely and properly published and notices as required by CEQA, and comments, if any, have been appropriately received and assessed by the City. The City Council also finds that a Negative Declaration is appropriate for this project. As such, the City Council adopts the Negative Declaration for this project. The Director of the Planning Department is directed to file a Notice of Determination as may be warranted.

SECTION 2. The Planning Commission of the City of Madera and this Council have held public hearings upon the rezoning of this property and have determined that the proposed rezoning is consistent with the General Plan as amended and subsequent development will be in conformance with all standards and regulations of the Municipal Code.

SECTION 3. Based on the findings set forth below, the City Council approves Rezone 2019-05. The City of Madera Zoning Map as provided for in Chapter 3 of Title 10 of the Madera Municipal Code is hereby amended as illustrated in the hereto attached Exhibit "A" which indicates the segment of the City of Madera Zoning Map to be amended. Unless the adoption of this amendment to the Zoning Map is lawfully stayed, thirty-one (31) days after adoption of this amendment, the Planning Director and City Clerk shall cause these revisions to be made to the City of Madera Zoning Map which shall also indicate the date of adoption of this revision and be signed by the Planning Director and City Clerk.

SECTION 4. Based upon the testimony and information presented at the hearing, the adoption of the proposed rezoning is in the best interest of the City of Madera, and the Council hereby approves the rezoning based on the following findings:

FINDINGS:

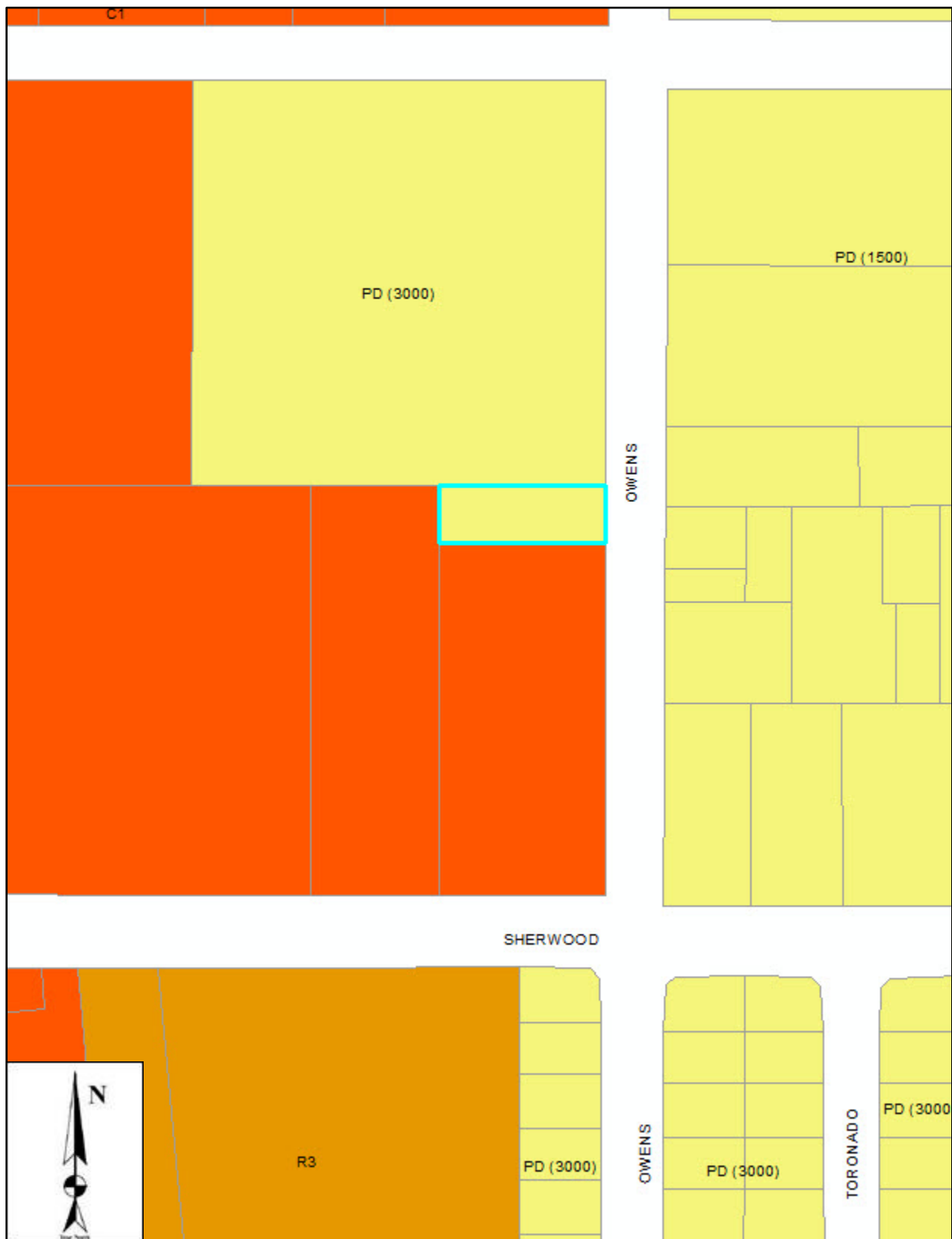
1. THE PROPOSED REZONE WILL PROVIDE THE REQUIRED CONSISTENCY BETWEEN THE GENERAL PLAN AMENDMENT AND ZONING.

2. THE REZONE IS NOT EXPECTED TO BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, COMFORT OR GENERAL WELFARE OF THE NEIGHBORHOOD OR THE CITY.
3. CITY SERVICES AND UTILITIES ARE AVAILABLE OR CAN BE EXTENDED TO SERVE THE AREA.

SECTION 4. This Ordinance shall be effective and of full force and effect at 12:01 a.m. on the thirty-first day after its passage.

* * * * *

EXHIBIT A



Attachment 6: Initial Study & Negative Declaration

CITY OF MADERA
INITIAL STUDY / ENVIRONMENTAL CHECKLIST

I. BACKGROUND AND PROJECT DESCRIPTION

1. **Application No.:**
Rezone 2019-05 and Precise Plan 2019-08
2. **Project Title:**
Parra Fourplex
3. **Lead Agency Name and Address:**
City of Madera, 205 W. 4th St., Madera, CA 93637
4. **Contact Person and Phone Number:**
Rob Holt – (559) 661-5434
5. **Project Location:**
East side of Owens Street, approximately 450 feet north of its intersection with Sherwood Way
6. **Project Applicant's/Sponsor's Name and Address:**
Applicant: Terry Armentrout, 18290 Ridgedale Drive, Madera, CA 93638
7. **General Plan Designation:**
MD (High Density)
8. **Zoning:**
Current: C1 (Light Commercial) Proposed: PD-3000 (Planned Development)
9. **Project Background:**
The proposal is an application for a rezone and precise plan for the development of a fourplex. The rezone would allow for the change of zoning of the properties from the C1 (Light Commercial) Zone District to the PD-3000 (Planned Development) Zone District. The precise plan would allow for the construction of a fourplex multifamily building including a parking field with an architecturally-compatible carport, private backyards for each unit and a common open space area at the front of the building.
10. **Public Agencies Whose Approval or Review Is Required:**
Madera Irrigation District, Madera Unified School 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 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**
California Native American tribes traditionally and culturally affiliated with the project area did not request consultation pursuant to Public Resources Code Section 21080.3.1.

II. ENVIRONMENTAL SETTING

The project site is vacant residentially-zoned land immediately south of the Arborpoint apartment complex and east of a commercial retail center. A mix of high- and low-density residential development lies to the south. Rural residential development lies directly west of the project site. The project site encompasses approximately 0.29 acres and access will only be provided from Owens Street.



III. ENVIRONMENTAL CHECKLIST

Environmental Factors Potentially Affected by the Project: Some of the environmental factors checked below would be potentially affected by this project, although none of the environmental factors have a "Potentially Significant Impact" or "Potentially Significant Impact Unless Mitigation Incorporation," 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

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 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: _____

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) 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?			✓	
<p>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 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.</p> <p>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.</p> <p>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.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) The project will not substantially degrade the existing visual character or quality of the site and its surroundings. The project does not also conflict with 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))?				✓
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?				✓
<p>Discussion</p> <p>The project site is located on land identified as “Urban and Built-Up Land” on the 2016 California Farmland Mapping and Monitoring Program map.</p> <p>No Impacts</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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 “Urban and Built-Up Land” on the 2016 California Farmland Mapping and Monitoring Program map, which includes land that is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. The project site has been identified for residential use within the City of Madera General Plan, and the land is not currently being utilized for agricultural purposes.</p> <p>b) The project would not conflict with existing zoning for agricultural use and there are no Williamson Act contracts affecting the subject property.</p> <p>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)).</p> <p>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)).</p> <p>e) The project, which will develop an eight-unit apartment complex, will not involve other changes in the existing environment, due to the 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.</p>				
<p>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:</p>				
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?			✓	

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><u>Discussion</u></p> <p>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).</p> <p>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.</p> <p>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.</p> <p>The project would not conflict with or obstruct the implementation of applicable Regional Air Quality Control Plans.</p> <p>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.</p> <p>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.</p> <p>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</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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				
<p>a) According to the San Joaquin Valley Air Pollution Control District (SJVAPCD), the project is subject to some District Rules. The project will not conflict with or obstruct implementation of the applicable air quality plan.</p> <p>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).</p> <p>c) The project would not expose sensitive receptors to substantial pollutant concentrations.</p> <p>d) The development of the project would not result in other emissions, such as those leading to odors adversely affecting a substantial number of people.</p>				
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?				✓

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

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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.</p> <p>e) The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p> <p>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.</p>				
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?				✓
<p>Discussion</p> <p>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.</p> <p>No Impacts</p> <p>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.</p> <p>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.</p> <p>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 Resources Code Section</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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 Mines and Geology Special Publication 42.				✓
ii. Strong seismic ground shaking?				✓
iii. Seismic-related ground failure, including liquefaction?				✓
iv. Landslides?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
<p>Discussion</p> <p>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.</p> <p>No Impacts</p> <p>a)</p> <p>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 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.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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 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.</p> <p>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.</p> <p>iv. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>f) The project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			✓	
<p><u>Discussion</u></p> <p>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.</p> <p>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.</p> <p>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.</p> <p><u>Less than Significant Impacts</u></p> <p>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.</p> <p>b) The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
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 or excessive noise 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?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Discussion</p> <p>The project will not create hazards or expose people or property to hazardous conditions. The anticipated development will be consistent with the General Plan and will be delineated with the accompanying precise plan.</p> <p>No impacts</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>e) The project site is not located within an airport land use plan and would result in a safety hazard or excessive noise for people residing or working in the project area.</p> <p>f) The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.</p> <p>g) The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildfires.</p>				
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				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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				✓
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 sustainable groundwater management plan?				✓
<p>Discussion</p> <p>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 or 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.</p> <p>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.</p> <p>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 are 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.</p>				

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 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.			
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.			
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,				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				
<p>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.</p> <p>No Impacts</p> <p>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.</p> <p>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.</p>				
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?				✓
<p>No Impacts</p> <p>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.</p> <p>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.</p>				
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?				✓
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				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
use airport, would the project expose people residing or working in the project area to excessive noise levels?				
<p>Discussion</p> <p>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.</p> <p>No Impacts</p> <p>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.</p> <p>b) The project would not generate excessive ground borne vibration or ground borne noise levels.</p> <p>c) The project site is not located within the vicinity of a private airstrip or an airport land use plan and would not expose people residing or working in the project area to excessive noise levels.</p>				
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?				✓
<p>Discussion</p> <p>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.</p> <p>Less than Significant Impacts</p> <p>a) The project does induce unplanned population growth in the area directly with the construction of eight new dwelling units, but the growth will not be substantial.</p> <p>No Impacts</p> <p>b) The project will not displace substantial numbers of existing people or housing which will not necessitate the construction of replacement housing elsewhere.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
<p>Discussion</p> <p>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.</p> <p>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 standard practices. The project would not bring about a significant increase in the demand for solid waste disposal services and facilities.</p> <p>No Impacts</p> <p>a) The project would not result in substantial adverse physical impacts to fire protection services.</p> <p>b) The project would not result in substantial adverse physical impacts to fire protection services.</p> <p>c) The project would not result in substantial adverse physical impacts to school services. The Madera Unified School District levies a school facilities fee to assist defraying the impact of residential development.</p> <p>d) The project would not result in substantial adverse physical impacts to park facilities.</p> <p>e) The project would not result in substantial adverse physical impacts on other public facilities.</p>				
16. RECREATION. Would the project:				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
<p>Discussion Residential 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.</p> <p>No Impacts</p> <p>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.</p> <p>b) The project will include the construction of a large open space community area with a playground and two benches that would provide for recreational activities, but they will not have an adverse physical effect on the environment.</p>				
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?				✓
<p>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.</p> <p>No Impacts</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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 Department standards and Americans with Disabilities Act (ADA) standards.</p> <p>b) The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). The project is not located within one-half mile of an existing major transit stop or along an existing high-quality transit corridor.</p> <p>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).</p> <p>d) The project would not result in inadequate emergency access.</p>				
18. Tribal Cultural Resources. Would the project:				
<p>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:</p> <p>a) 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), or</p>				✓
<p>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</p>				✓
No Impacts				
<p>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</p>				

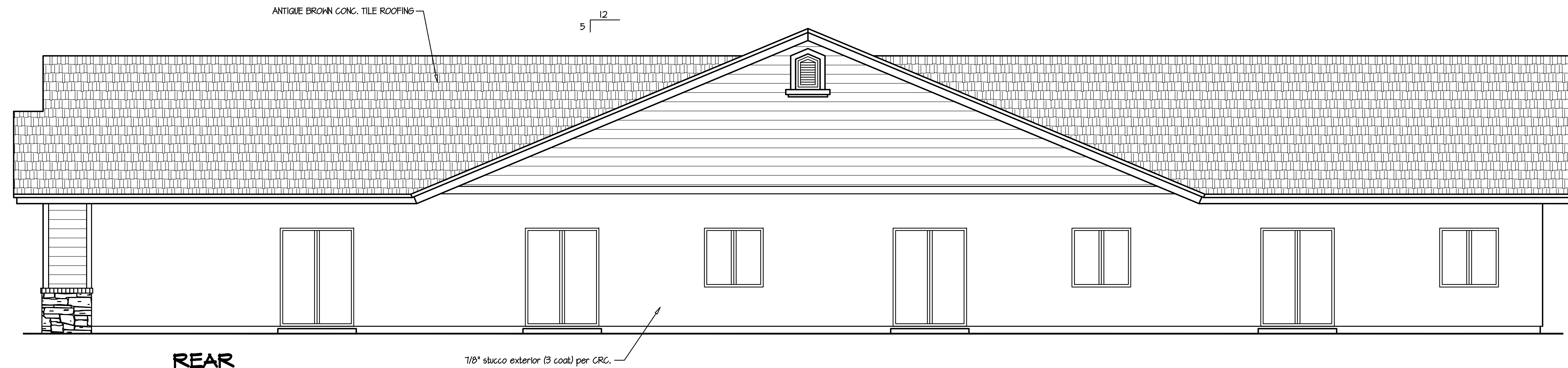
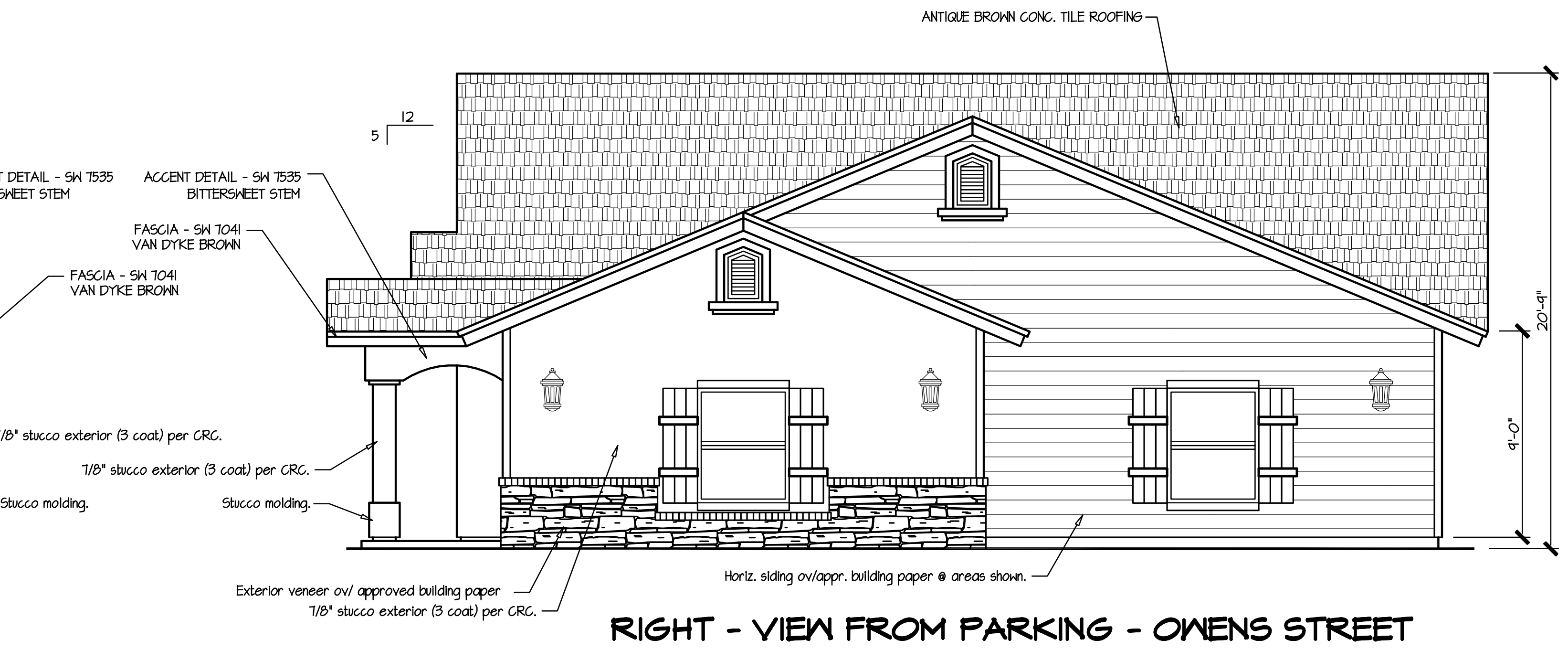
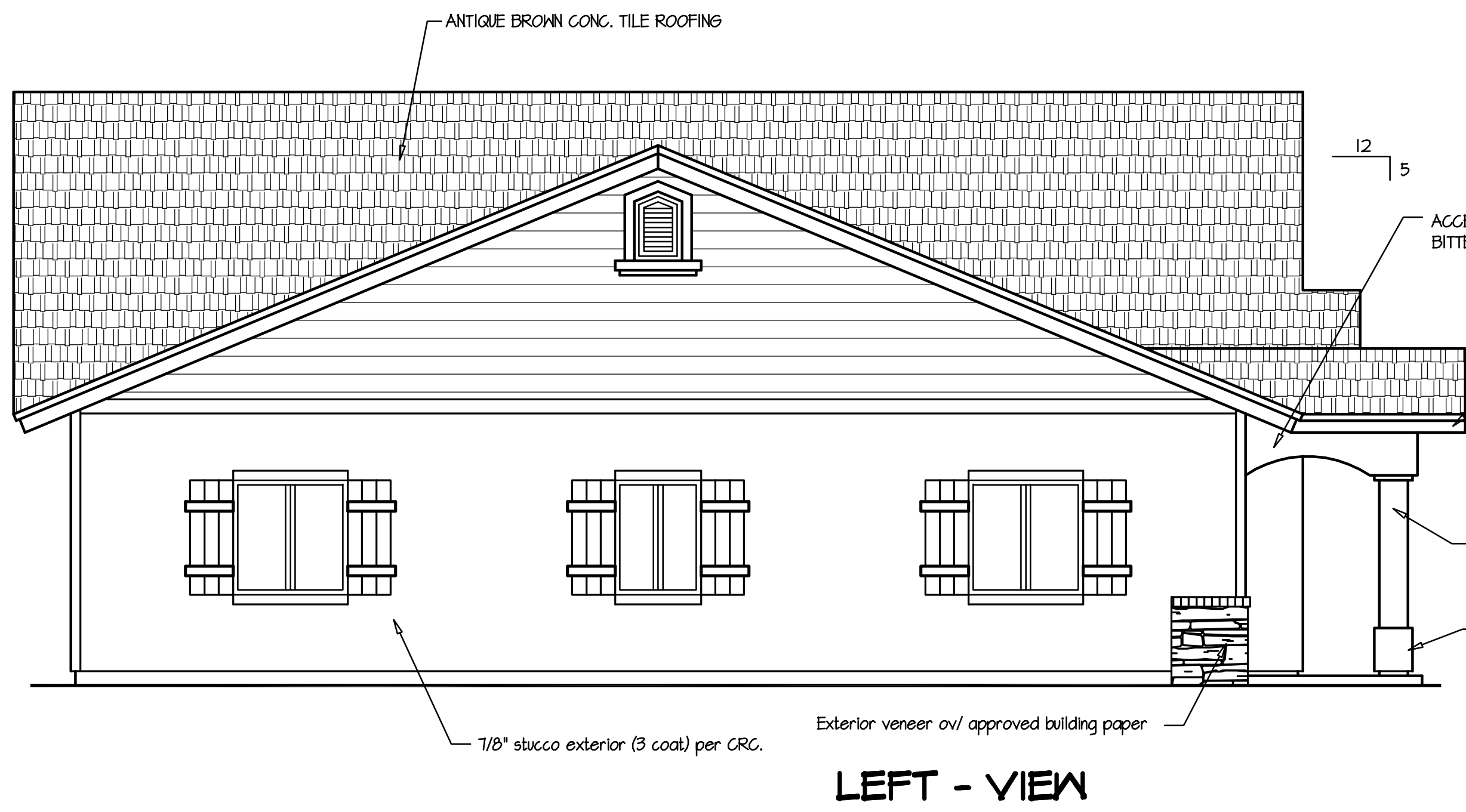
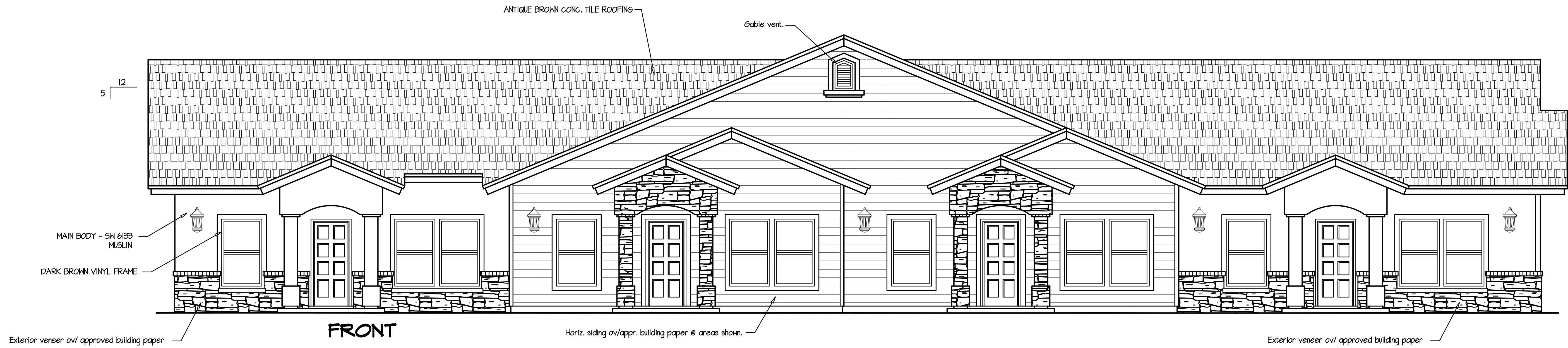
ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>landscape, sacred place, or object with cultural value to a California Native American tribe, and the project 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).</p> <p>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 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.</p>				
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?				✓
<p>Discussion</p> <p>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</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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.</p>				
<p><u>Less than Significant Impacts</u></p>				
<p>a) The project would require the construction of new water and storm water drainage facilities, but the construction would not cause significant environmental effects.</p>				
<p><u>No Impacts</u></p>				
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p>e) The project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.</p>				
<p>20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</p>				
<p>a) Substantially impair an adopted emergency response plan or emergency evacuation?</p>				✓
<p>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?</p>				✓
<p>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?</p>				✓
<p>d) Expose people or structures to significant risks, including downslope or downstream</p>				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				
<p>Discussion</p> <p>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.</p> <p>No Impacts</p> <p>a) The project would not substantially impair an adopted emergency response plan or emergency evacuation.</p> <p>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.</p> <p>c) The project would not require the installation or maintenance of roads and will not exacerbate fire risk or result in temporary or ongoing impacts to the environment as the project is also not located in or near state responsibility areas or lands classified as very high fire hazard severity zones.</p> <p>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.</p>				
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 the incremental effects of a project are considerable when viewed in connection				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
<p>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, and Utilities and Service Systems.</p> <p>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.</p> <p>No Impacts</p> <p>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.</p> <p>b) The project would not have cumulatively considerable impacts that are beyond less than significant.</p> <p>c) The project would not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.</p>				

Attachment 7: Site Plan, Floor Plans & Elevations



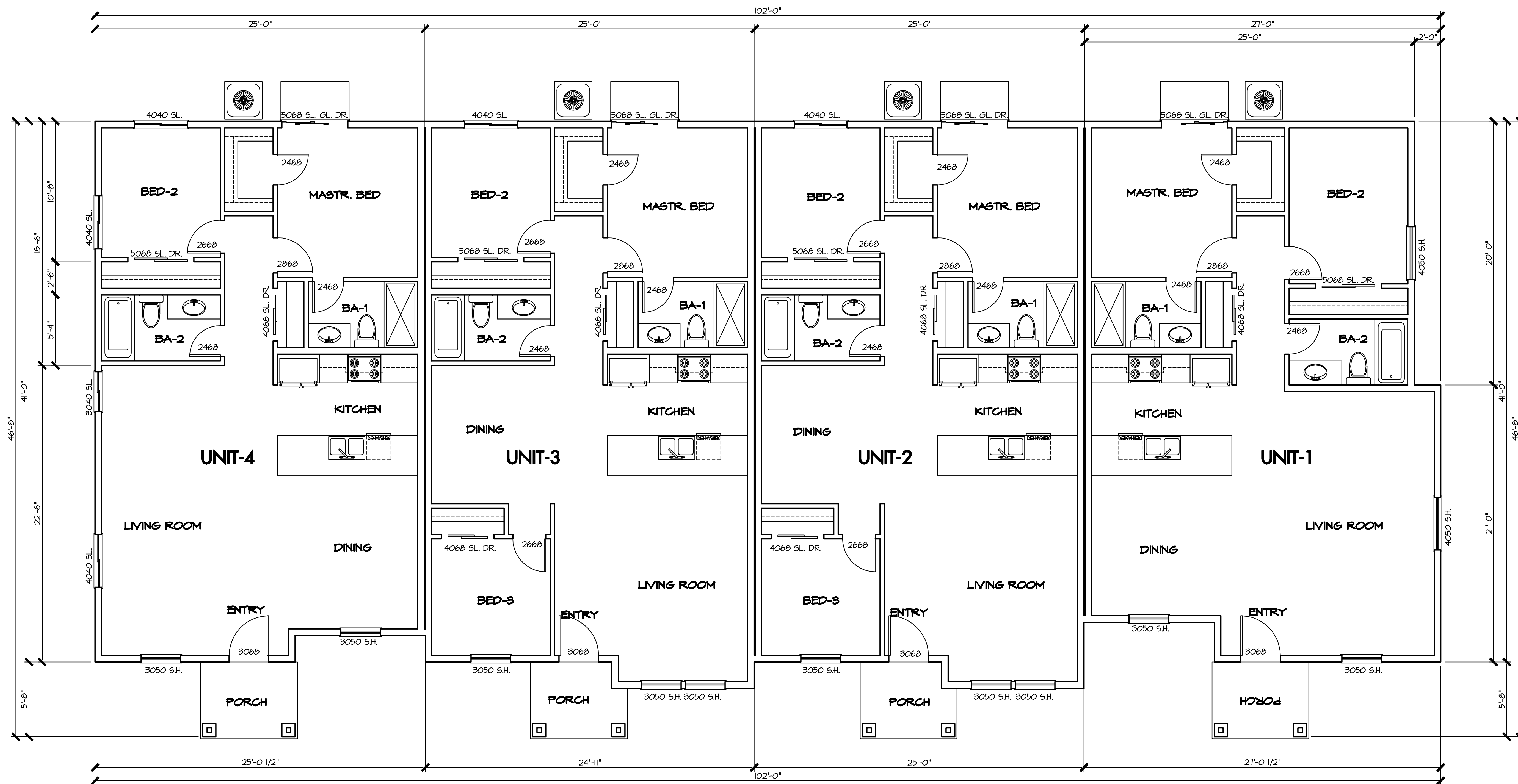
**ELEVATIONS PLAN
FOURPLEX PLAN**

PLANS PREPARED BY:
TERRY ARMENTROUT DRAFTING INC.
 Terry & Irene Armentrout 18290 RIDGEDALE DRIVE
 Madera, California 93638 (559) 474-1114
 terry_armentrout@yahoo.com

REVISIONS
ITEM DATE COMMENTS

RODRIGO PARRA
 3298 FAIRFIELD WAY
 MADERA, CA. 93638 (559) 252-4615
 PROJECT SITE: OWENS STREET, MADERA, CA. 93637

DRAWN BY T. ARMENTROUT
CHECKED BY
DATE 10 / 2019
SCALE 1/4"=1'
JOB NO. OWENS ST. 4-PLEX
SHEET



BUILDING AREAS - UNIT - 1

FLOOR AREA:	1042	S.F.
PORCH AREA:	38	S.F.
TOTAL AREA UNDER ROOF:	1080	S.F.

BUILDING AREAS - UNIT - 2

FLOOR AREA:	1041	S.F.
PORCH AREA:	38	S.F.
TOTAL AREA UNDER ROOF:	1085	S.F.

BUILDING AREAS - UNIT - 3

FLOOR AREA:	1041	S.F.
PORCH AREA:	38	S.F.
TOTAL AREA UNDER ROOF:	1085	S.F.

BUILDING AREAS - UNIT - 4

FLOOR AREA:	1038	S.F.
PORCH AREA:	38	S.F.
TOTAL AREA UNDER ROOF:	1076	S.F.
TOTAL FLOOR AREA:	4174	S.F.

PLANS PREPARED BY:
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 terry_armentrout@yahoo.com

REVISIONS	ITEM	DATE	COMMENTS

RODRIGO PARRA
 3298 FAIRFIELD WAY
 MADERA, CA. 93638 (559) 232-4615
 PROJECT SITE: OWENS STREET, MADERA, CA. 93637

PLANS FOR:

DRAWN BY	T. ARMENTROUT
CHECKED BY	
DATE	10 / 2019
SCALE	1/4"=1'
JOB NO.	OWENS ST. 4-PLEX
SHEET	

General Notes

Job card req'd to be available for signature at job site. Contractor to provide the bld'g division a completed CEC form CF-6R prior to the request for a final inspection. It is understood that no final inspection will be made until this form is submitted.

All windows including french & atrium doors to be dual pane unless noted.

No water bd. to be used in place of shear panels noted.

Bug screens to be installed prior to final.

P. & T. relief valve to outside of building at water heater. In seismic zones C, D & E, water heaters shall be anchored or strapped to resist horizontal displacement due to earthquake motion. Strapping shall be at points within the upper one-third (1/3) and lower one-third (1/3) of its verticle dimensions. At the lower point, a min. distance of (4") shall be maintained above the controls with the strapping.

Shower and tub/shower combinations shall be provided with individual control valves of the pressure balance or the thermostatic mixing valve type.

Changes from the approved plans during construction other than 1) Cabinet changes when not being supported entirely by the roof structure, 2) Interior door and fireplace relocation shown on the approved plan, 3) A single non-bearing wall relocation when not creating an additional room, and 4) Interior nonstructural wall finishes; shall cause plan approval and construction to be suspended, a new plan check (for a new plan showing changes) will be submitted for review and approval through the normal plan check process.

Surface water to be drained away from building for at least 10 feet with a min. grade of 5% of the overall lot drainage slope must be maintained at 1% min. from rear to front with a min. slope of 1/2%.

Finish floor to be a min. of 6" above crown of street or per building dept. requirements.

Well location to be a min. of 150' from septic system.

Provide an all weather driveway per county std. (min. 10' wide)

The driveway approach within the road right of way shall be constructed to Madera County standards prior to the final inspection of this structure by the Engineering Department. The applicant shall obtain an Encroachment Permit from the Road Department prior to the start of excavation within the road right of way.

This building design meets the design requirements set fourth in section 1403(c) Title 24, CCR
TERRY ARMENTROUT

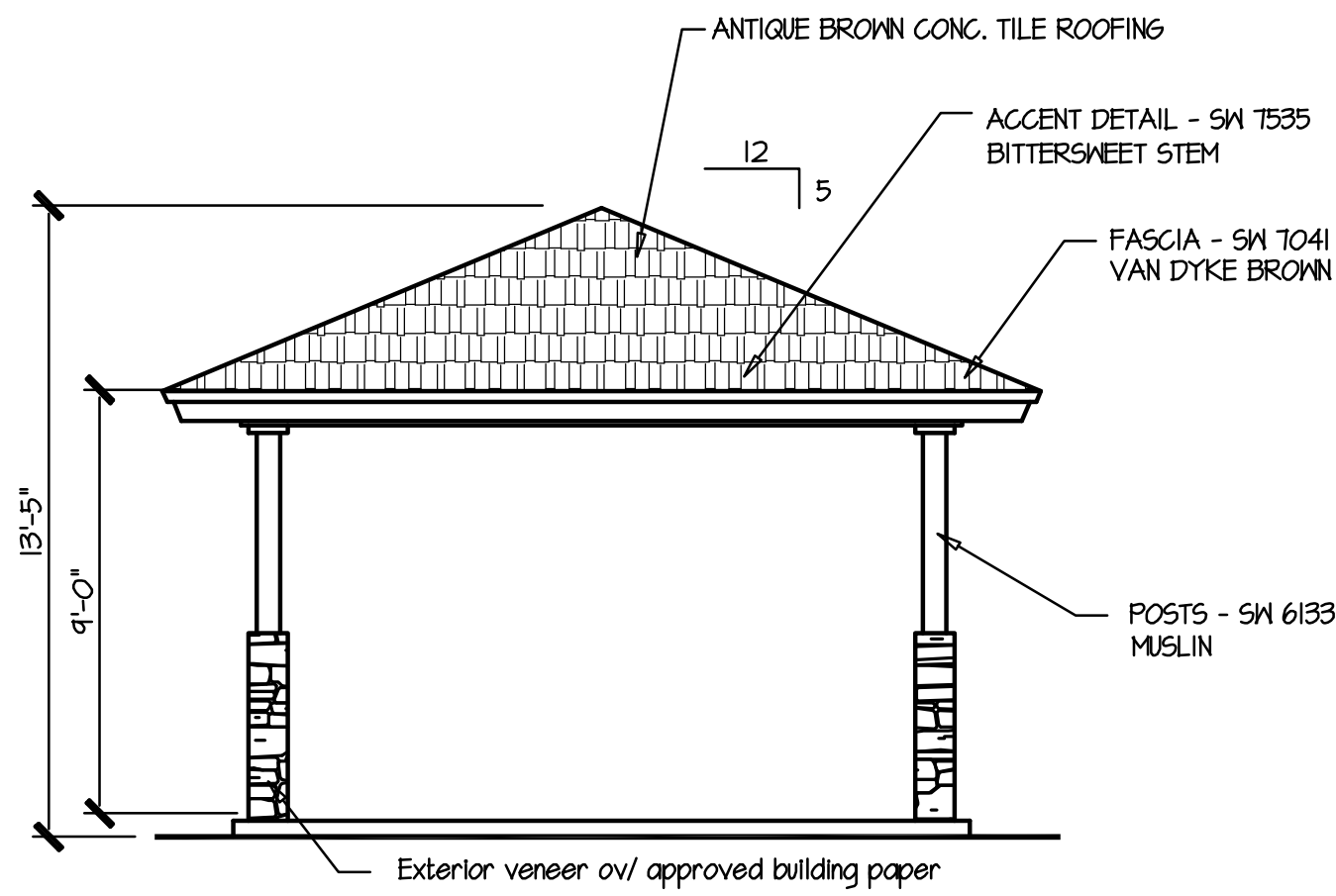
NOTE:
IF ARCHEOLOGICAL EVIDENCE IS NOTED ON THE SITE PRIOR TO THE START OF CONSTRUCTION, NO WORK SHALL START WITHOUT FIRST NOTIFYING THE PLANNING DEPARTMENT AND COMPLETION OF A PHASE 2 ARCHEOLOGICAL STUDY.

IF DURING GRADING OR TRENCHING WORK, ARCHEOLOGICAL EVIDENCE IS FOUND, ALL WORK IS TO STOP AND THE PLANNING DEPARTMENT IS TO BE NOTIFIED WITHIN 24 HOURS, OR ON THE FIRST WORK DAY FOLLOWING FOR WEEKENDS &

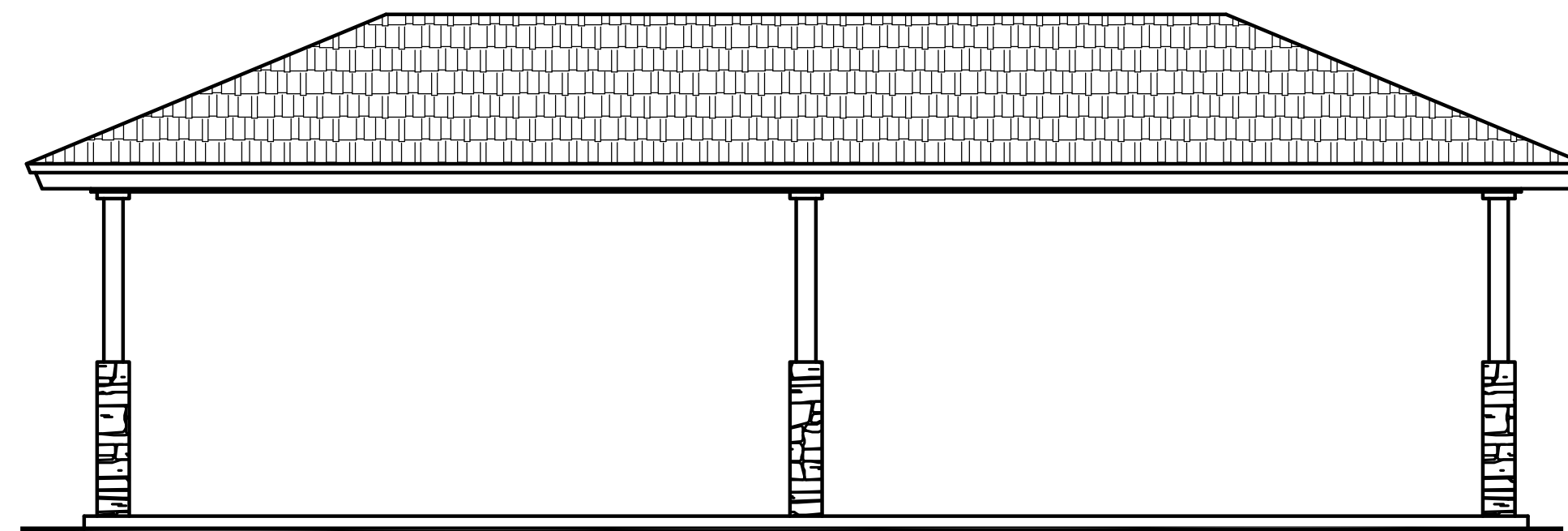
THIS PROJECT SHALL COMPLY WITH:
2016 CALIFORNIA BUILDING CODE (CBC)
2016 CALIFORNIA RESIDENTIAL CODE (CRC)
2016 CALIFORNIA ELECTRICAL CODE (CEC)
2016 CALIFORNIA PLUMBING CODE (CPC)
2016 CALIFORNIA MECHANICAL CODE (CMC)
2016 CALIFORNIA ENERGY CODE
2016 CALIFORNIA GREEN BUILDING CODE (CGBC)
2016 CALIFORNIA FIRE CODE (CFC)

NOTE:
PROVIDE CONSTRUCTION SITE ADDRESS. APPROVED ADDRESS NUMBERS OR ADDRESS SIGNS SHALL BE PROVIDED FOR AT CONSTRUCTION SITES. THEY SHALL BE PAINTED ON THE FACE OF THE CURB ON THE FRONT SIDE OF THE LOT OF THE LOT PRIOR TO THE FIRST INSPECTION. CURB NUMBERS SHALL BE A MINIMUM OF FOUR INCHES (4") IN HEIGHT AND HAVE A CONTRASTING OR REFLECTING BACKGROUND AND PERMANENTLY PAINTED ON THE CURB FACE. TEMPORARY STREET NAMES SHALL BE PAINTED ON THE CURBS OF ALL STREETS AT THE STREET INTERSECTIONS. IN THE EVENT THAT NO CURB EXISTS, CONSTRUCTION SITE ADDRESS SIGNS AND TEMPORARY STREET NAME SIGNS SHALL BE POSTED AT A HEIGHT OF BETWEEN 48" AND 72". SUCH TEMPORARY SIGNS SHALL BE WEATHER RESISTANT ON APPROVED MATERIAL. ALL NUMBERS AND NAME SIGNS SHALL BE MAINTAINED TO THE SATISFACTION OF THE FIRE MARSHAL AND BUILDING OFFICIAL.

ADDRESS NUMBERS SHALL BE DISPLAYED ON A BUILDING OR LAND IN SUCH A MANNER AS TO BE VISIBLE FROM THE STREET OR ROAD ON WHICH THE BUILDING OR LAND FRONTS. WHERE THE BUILDING IS LOCATED MORE THAN 50 FEET FROM THE MAIN ROADWAY, THE NUMBER SHALL BE DISPLAYED AT THE ENTRANCE OF THE DRIVEWAY AND BE READABLE FROM BOTH DIRECTIONS. THE SIZE OF LETTERS, NUMBERS AND SYMBOLS FOR ADDRESSES SHALL BE A MINIMUM OF FOUR INCH LETTER HEIGHT BUT SHALL NOT EXCEED TWELVE INCHES IN HEIGHT, FIVE-EIGHTH INCH STROKE, REFLECTORIZED, CONTRASTING WITH BACKGROUND COLOR OF THE SIGN. ADDRESSES MOUNTED TO BUILDINGS SHALL USE SAME SIZE CONFIGURATION. ALL NUMBERS OR SIGNS SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER SO AS TO REMAIN READABLE.

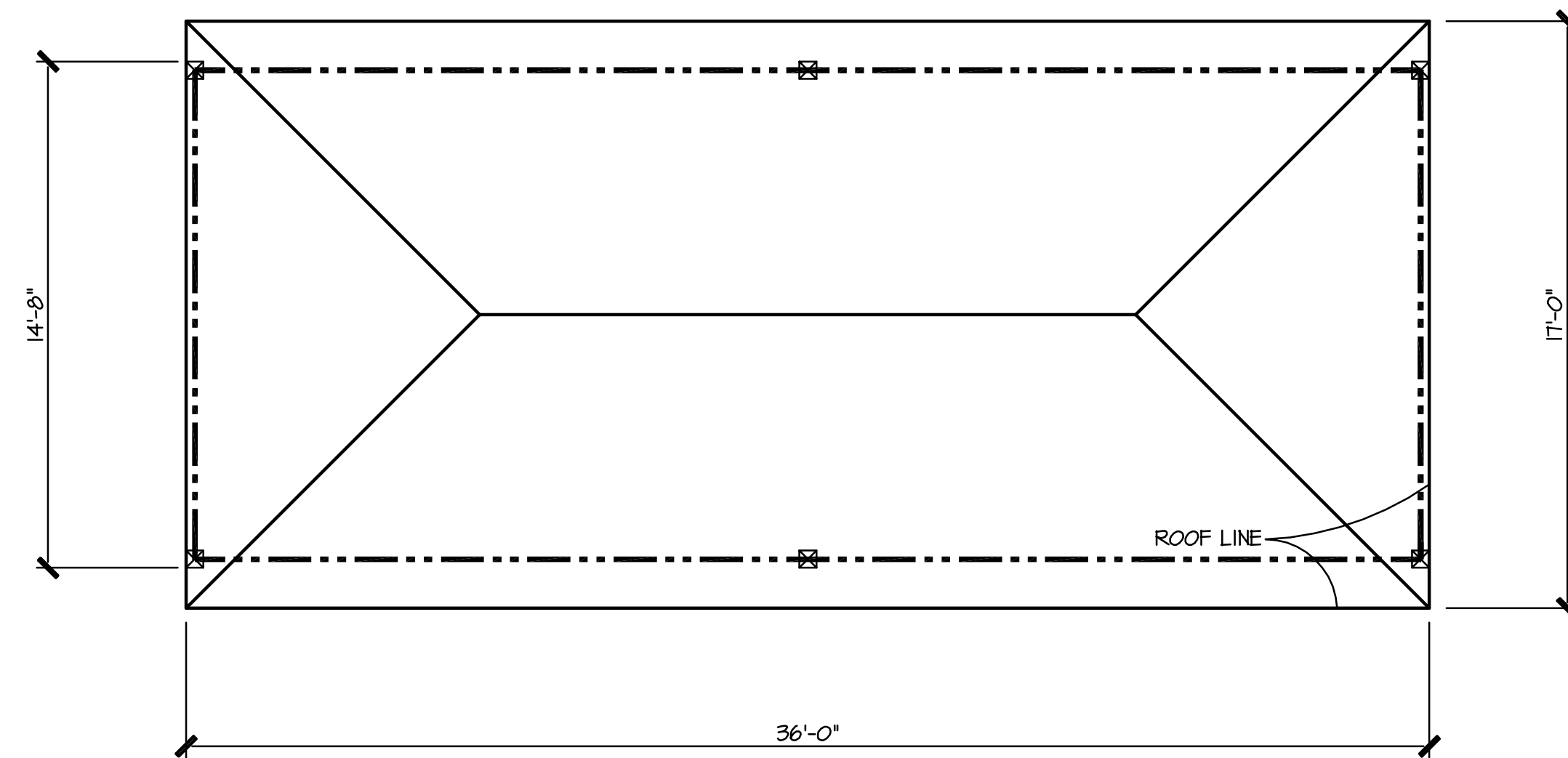


LEFT - VIEW FROM PARKING - OWENS STREET



FRONT

CARPORT ELEVATIONS



CARPORT FLOOR PLAN

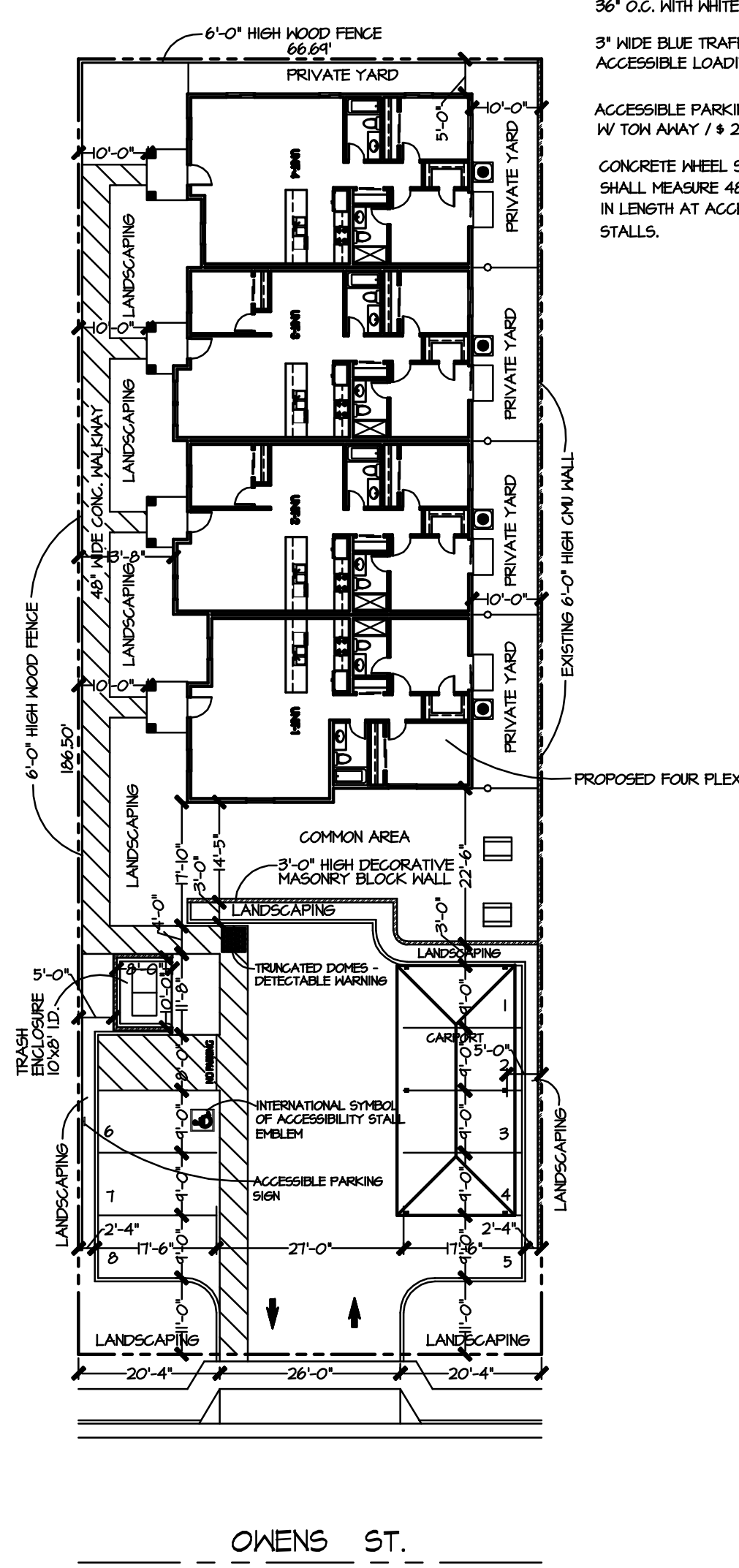
542 SQ. FT.

SCALE: 1/4"=1'-0"

ELEVATION NOTES

1. 2x fascia with shingle molding (or) per owner spec's.
2. Provide a weep screed @ foundation plate on all ext. walls, per CRC w/2) layers, type 'D' paper.
3. Exterior veneer ov/ approved building paper, attach per CRC, see veneer detail @ this sheet.
4. Horiz. siding ov/appr. building paper @ areas shown.
5. Gable vent.
6. Stucco molding.
7. Stucco all eaves and lids.
8. Composition roofing.
9. Concrete tile roofing.
10. 7/8" stucco exterior (3 coat) per CRC.
11. Exterior TI-II vert. wood siding, install per manuf.
12. Batt on board, type siding.
13. Galv. 'Z' bar.
14. Flash & counterflash @ roof/wall intersections (typ.).

Roof covering to conform to the standards of 2016 CRC, chapter 4.
Roof covering to be installed in accordance w/manuf. instructions & CRC chapter 4.
All nails to be galv. or copper coated.
Provide a spark arrestor (typ.) @ all fireplaces, or any appliance that burns solid fuel.
The installer shall provide certification of the roof covering classification to building dept. before the work can be finalized.
Classification 'C' roof material req'd. min.



SITE PLAN

SCALE: 1"=20'-0"



Vicinity Map

DESIGN CRITERIA

CLIMATE ZONE	I3	
BUILDING HEIGHT	15'-0"	
NUMBER OF STORIES	1	
FLOOR & ROOF LIVE LOADS	FLOOR, 0	ROOF, 20
GROUND SNOW LOAD	ZERO	
WIND EXPOSURE CATEGORIE	C / 110 MPH	
DESIGN METHOD FOR WIND	CONVENTIONAL	
SOIL SITE CLASS	CLASS 'D' - DEFAULT	
GPS CO-ORDINATE FOR SITE:		
LATITUDE: 36.918516°		
LONGITUDE: -120.070324°		
MAPPED SPECTRAL RESPONSE	S _{ms} = 0.182	S _{m1} = 0.445
SPECTRAL RESPONSE COEFF.	S _{D5} < 0.521	S _{D1} < 0.330
SPECTRAL RESPONSE ACCEL.	S _s = 0.588	S ₁ = 0.232
Fa	1.330	Fv
SEISMIC DESIGN CATEGORY	D	
ELEVATION	276'	
SOIL DESIGN BEARING PRESS.	1500 PSF - DEFAULT	
WATER PIPING MATERIALS	COPPER OR PEX	
SEWER PIPING MATERIALS	SCHEDULE 40 ABS DHW	
GAS PIPING MATERIALS	SCHEDULE 40 METALLIC	
RESISTANCE TO LAT. FORCES	CONV. LIGHT-FRAMING	

Building Data

BUILDING USE :	SINGLE FAMILY RESIDENCE
OCCUPANCY CATEGORY:	II
OCCUPANCY TYPE:	R-3 / U
TYPE OF CONSTRUCTION :	VB

Site Data

APN :	003-210-029
SITE ADD. :	OWENS STREET MADERA, CA. 93638

Site Coverage

LOT AREA :	12,438 SQ. FT.
BUILDING AREA :	4,243 SQ. FT.
CARPORT AREA :	542 SQ. FT.
	38.8 %
PAVED AREA :	3,046 SQ. FT.
TOTAL OPEN AREA :	4,507 SQ. FT.
SETBACK AREA :	1,266 SQ. FT.
OPEN AREA :	3,241 SQ. FT.
	810 SQ. FT. PER UNIT

SHEET INDEX

1	SITE / CARPORT PLAN
2	PROPOSED FLOOR PLAN
3	ELEVATIONS PLAN

PLANS PREPARED BY:
TERRY ARMENTROUT DRAFTING INC.
Terry & Irene ArmentROUT 19240 RIDGEDALE DRIVE
Madera, California 93638 (559) 474-1714
terry.armentROUT@yahoo.com

REVISIONS		
ITEM	DATE	COMMENTS

RODRIGO PARRA
3296 FAIRFIELD WAY
MADERA, CA. 93638 (559) 232-4615
PROJECT SITE: OWENS STREET, MADERA, CA. 93637

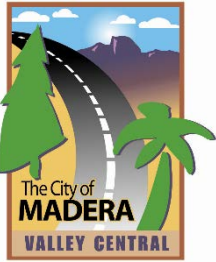
PLANS FOR:

DRAWN BY	T. ARMENTROUT
CHECKED BY	
DATE	10 / 2019
SCALE	AS NOTED
JOB NO.	OWENS ST. 4-PLEX
SHEET	

1

OF 3 SHEETS

FOURPLEX PLAN



CITY OF MADERA PLANNING COMMISSION

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

Staff Report: Sherwood Apartments PPL 2019-07 & Negative Declaration Item # 4 – November 12, 2019

PROPOSAL: Consideration of a request for a precise plan that will allow for the development of a sixteen-unit multifamily apartment complex.

APPLICANT:	V. Pogosyan & A. Sargsyan	OWNER:	V. Pogosyan & A. Sargsyan
ADDRESS:	No address	APN:	003-240-015
APPLICATION:	PPL 2019-07	CEQA:	Negative Declaration

LOCATION: The project is located on the north side of Sherwood Way, approximately 250 feet east of its intersection with Owens Street.

STREET ACCESS: The project proposes access from a 30-foot easement from Owens Street.

PARCEL SIZE: Approximately 1.43 acres.

GENERAL PLAN DESIGNATION: MD (Medium Density)

ZONING DISTRICT: PD-3000 (Planned Development)

SITE CHARACTERISTICS: The project site is vacant land at the northern fringe of the city. Rural residential lands are located to the east, west, and north. Single-family residential development is located to the south. Commercial land is located to the east of Owens Street along the Country Club Drive commercial corridor.

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 project proposes the development of a sixteen-unit multifamily residential complex. Each unit contains two bedrooms and two bathrooms. The proposal provides consistency with the policies of the General Plan's Land Use Element specific to residential density in the MD (Medium Density) General Plan land use designation and the PD-3000 (Planned Development) Zone District. Cumulatively, the proposed multifamily apartment complex complies with the goals and policies of the General Plan.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3-4.101 Planned Development Zones

MMC § 10-3-4.104 Precise Plan

California Public Resources Code §21000, California Environmental Quality Act “CEQA”

The City’s Zoning Ordinance allows for the approval of a precise plan subject to the Planning Commission (Commission) being able to make findings that the establishment, maintenance or operation of the development 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 or to the general welfare of the City.

Development within the MD (Medium Density) General Plan land use designation requires a density range of between 7.1 and 15 units per acre. The PD 3000 (Planned Development) Zone District provides for a maximum density of one unit for each 3,000 square feet of site area. Based on the project site area, the required density range is between 10 and 21 units. The proposal of sixteen units provides consistency with the policies of the General Plan’s Land Use Element specific to residential density in the MD (Medium Density) General Plan land use designation and the PD-3000 (Planned Development) Zone District.

If the Commission cannot make the appropriate findings, the development should be denied. Conditions may be attached to the approval of the precise plan 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.

PRIOR ACTION

None.

ANALYSIS

The project proposes the development of a sixteen-unit multifamily residential complex. Two two-story structures will contain eight units each. Each unit contains two bedroom and two bathrooms. The proposed architecture is attractive. Access is provided via a 30-foot easement which provides ingress and egress to and from the Owens Street right-of-way for both pedestrians and vehicles. Ample parking is provided, including covered parking for each dwelling. Open space will be developed with an array of amenities.

General Plan Conformance

Architecture

Precise plans are utilized within the PD (Planned Development) Zone District to establish specific development and improvement standards for a proposed project. Precise plans address site features, such as infrastructure and services, circulation and access, appearance, landscaping and open space. Development within the PD (Planned Development) Zone District is required to be in conformance with the goals and policies of the General Plan. Building elevations must satisfy Policy CD-33, which states that “The exterior of residential buildings shall be varied and articulated to provide visual interest to the streetscape.” Moreover, Policy CD-34 elaborates that “the exterior of residential buildings shall reflect attention to detail as necessary to produce high architectural design and construction quality. Where side or rear elevations of residential buildings are visible from any street or public right-of-way, they shall

incorporate architectural treatments in keeping with the front (primary) elevation. Additionally, it is recommended that carports be required to be developed to be architecturally compatible with the primary residential buildings.

The buildings provide an articulated staggered gable roof architectural design on the north and south elevations. Noting that the buildings do propose horizontal clapboard siding with a stucco finish, staff recommends additional architectural features be incorporated into the final building design in order to produce the highest architectural design and construction quality. Recommended features include light sconces, wainscoting veneer, window foam pop-outs and/or a three-color exterior. Because the south elevation will be visible from the public right-of-way, it is important that the building elevations comply with Policy CD-34.

Per Goal CD-1, site design must aspire to the mandate of “High quality urban design throughout Madera.” For the proposed project, site design relies upon recorded access easements that provide ingress and egress to the project parcel from the Owens Street right-of-way. Staff is supportive of the proposed access as it enhances the project’s site design while providing appropriate access to currently landlocked rural residential parcels. With the access being provided along the northern boundary of the project site, additional open space is also created. The project also includes appropriate parking, providing two stalls for each dwelling unit and five parking stalls for guests. It is recommended that covered parking be in keeping with the architectural theme on the site.

Open Space

Policy LU-21 states, “Multi-family projects shall include functional, accessible outdoor areas and improvements which provide space for both private and public gatherings. These may include tot lots; passive recreation areas for sunbathing, lounging, barbecuing, quiet conversation and reading; and private patios or balconies.” The project provides over 2,300 square feet of open space per unit, exceeding the 750 square feet per dwelling unit required in the PD Zone District. As part of any formal submittal for a building permit, the project will propose suitable open space amenities. At a minimum, a tot lot playground area and accompanying shaded barbeque/picnic areas shall be incorporated into site design.

Landscaping

Landscaping plans are required as an element of the precise plan. Attention to detail and aesthetic design is necessary to satisfy Goal 4 of the Community Design Element, which requires “Attractive streetscapes in all areas of Madera.” Staff recommends landscape and irrigation plans consistent with the State’s Model Water Efficient Landscape Ordinance be submitted to the Planning Department for review and approval prior to issuance of building permits.

Cumulatively, the proposed multifamily apartment complex complies with the goals and policies of the General Plan.

Public Infrastructure

Public infrastructure and utilities required by the Madera Municipal Code (MMC) and the General Plan will be constructed in support of the project. Required infrastructure includes water, sewer, and storm drainage infrastructure consistent with the City’s master plans. Street improvements include an interior roadway.

The multifamily complex is required to be annexed into the Citywide Community Facilities District (CFD) 2005-01 to collect assessments for the increased demand on fire, police, stormwater drainage, and parks. The properties are also required to annex into a lighting and landscape maintenance district.

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

The first of the four core vision statements is “A Well-Planned City.” The Commission, considering how the project and infrastructure can be maintained, is actively implementing this key concept of the Vision Plan. Moreover, approval of the project will help provide consistency with Strategy 131, which states, “Create well-planned neighborhoods throughout Madera that promote connectivity and inclusiveness with a mix of densities.”

RECOMMENDATION

The information presented in this report provides support for the adoption of the negative declaration and approval of the precise plan. It is recommended that the Commission consider the information in this report, as well as testimony in the public hearing, and make a determination on PPL 2019-07 and the Negative Declaration, subject to the findings and conditions of approval.

PLANNING COMMISSION ACTION

The Commission will be acting on the negative declaration and Precise Plan (PPL) 2019-07 and determine 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 applications is subject to appeal to the City Council within fifteen (15) calendar days of the Commission’s action.

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 judgment 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 PPL 2019-07, 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 judgment 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.

- City services and utilities are available or can be extended to serve the area.
- Precise Plan 2019-07 is consistent with the purpose and intent of the PD (Planned Development) Zone District and does not conflict with City standards or other provisions of the Code.
- Precise Plan 2019-07 satisfies the requirements for precise plans per Madera Municipal Code (MMC) Section 10-3.4.104.
- Precise Plan 2019-07 is consistent with the goals and policies of the General Plan.
- Precise Plan 2019-07 is compatible with the neighborhood and is not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or 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 PPL 2019-07.
2. 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 precise plan by the Planning Commission.
3. 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.
4. 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.
5. The project shall be developed in accordance with the conditions of approval listed herein and the approved site plan, floor plans, and elevation drawings. Minor modifications to the approved plans necessary 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.
6. Prior to issuance of building permits or any future division of the property, the applicant at their sole expense shall cause the property to be annexed into the Citywide Community Facilities District No. 2005-01 and shall pay all applicable fees.

Building Department

7. At the 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 utility plan showing on-site sanitary sewer, water, storm sewer, water meters, backflow prevention devices, roof drains, etc., and the connections to off-site utilities.
8. 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 the permit stage, be confirmed at final inspection, and shall apply to proposed and future development.

Engineering Department

General

9. Nuisance onsite lighting shall be redirected as requested by City Engineer within 48 hours of notification.
10. Impact fees shall be paid at the time of building permit issuance.
11. The developer shall pay all 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.
12. Improvement plans signed and sealed by an engineer shall be submitted to the Engineering Division in accordance with the submittal process.
13. The improvement plans for the project shall include the most recent version of the City's General Notes.
14. 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.
15. Improvements within the City right-of-way require an encroachment permit from the Engineering Division.
16. All off-site improvements shall be completed prior to the issuance of final occupancy.
17. The developer shall coordinate with the United States Post Office relative to the proposed location of the postal boxes for the project.

Sewer

18. New or existing sewer service connection(s) shall be constructed or upgraded to current City standards.
19. Existing sewer service connection(s) that will not be used for the project shall be abandoned at the mains per current City standards. .
20. Sewer main connections 6" and larger diameter shall require manhole installation.
21. The developer shall reimburse its fair share cost to the City for the previously constructed sewer main along the entire project frontage.
22. Existing septic tanks, if found, shall be removed pursuant to the issuance of a permit and inspection by the City of Madera Building Department.

Storm Drain

23. Storm runoff from this project site is planned to go to the Sherwood basin located southeast of the project site. The developer shall construct sufficient facilities in accordance with criteria in the Storm Drainage Master Plan to convey storm runoff to the existing basin and excavate the basin to an amount equivalent to this project's impact on the basin. In accordance with the Storm Drainage Master Plan, the developer shall install the following improvements:
 - a. Approximately 290 linear feet of 18-inch storm drain pipeline in Sherwood Way, beginning at the property's west boundary and extending to the intersection of Sherwood Way and Davis Street.
 - b. Approximately 530 linear feet of 24-inch storm drain pipeline in Sherwood Way, beginning at the intersection of Sherwood Way and Davis Street and extending to the intersection of Sherwood Way and Sonora Street, connecting to the existing 36-inch storm drain pipeline at the intersection of Sherwood Way and Sonora Street.

Construction of pipe conveyance facilities are eligible for reimbursement through the City's Impact Fee Program, subject to the availability of funds.

24. 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. CAS000004. For the purpose of this proposed development, post-development runoff shall match or be less than pre-development runoff. The development shall submit to future inspections by the City or other designated agencies relative to the improvements installed as a result of this condition to ensure they remain in compliance with the conditions imposed under this condition.

Streets

25. The developer shall repair or replace all broken or damaged concrete improvements including curb, gutter, and sidewalk to current City and ADA standards.
26. The developer shall construct an ADA-accessible concrete sidewalk along the entire project parcel frontage Sherwood Way per City standards and improve with landscaping.

27. The developer shall construct a portion of a full residential access street between Owens Street and the east boundary of the project site in accordance with City Standard Drawing ST-3 that is sufficient to convey two-way vehicular traffic. Said improvements shall include but not be limited to curb and gutter, sidewalk and street lights on the south side of the easement along the property frontage, and 26 feet of asphaltic paved roadway surface connecting to Owens Street. Fire hydrants shall be installed on the south side of the easement along the property frontage or as determined by the City of Madera Fire Marshal. Landscaping shall be provided along the property frontage. All improvements shall be constructed per current City standards. No Parking signs shall be posted along the property frontage.
28. The developer shall dedicate a thirty-foot public road and utility easement overlaying the existing thirty-foot road easement.
29. The developer shall dedicate a public utility easement (PUE) ten-feet wide along the entire project parcel frontage on Sherwood Way. A \$466 fee or the fee in effect at that time for grant easement or deed acceptance shall be paid to the Engineering Department.
30. The developer shall annex into and execute such required documents that may be required to participate in Landscape Maintenance District Zone 51 for the purposes of participating in the cost of maintaining landscape improvements within said zone.
31. All existing and proposed public utilities shall be undergrounded, except transformers, which may be mounted on pads.

Water

32. Existing or new water service connection(s) shall be constructed to current City standards including Automatic Meter Reading (AMR) water meter installed within City right-of-way and backflow prevention device installed within private property.
33. A separate water meter and backflow prevention device will be required for landscape area.
34. Prior to the issuance of an encroachment permit, the developer shall reimburse its fair share cost to the City for the previously constructed water main along the entire project parcel frontage.
35. Existing water service connections that will not be used for the project shall be abandoned at the mains, per City of Madera standards.
36. Existing wells, if any, shall be abandoned as directed and permitted by the City for compliance with State standards.

Fire Department

37. Building permits shall be required to be approved for the construction of the buildings.
38. One 2A10BC-rated fire extinguisher shall be required for every 3,000 square feet of area on each floor level. A maximum travel distance of 75 feet is permitted.
39. Fire lanes shall be properly posted.
40. A Knox Box is required for access since the interior of the site is gated.

41. Proposed and/or future gates shall open from the inside without the use of a key or any special knowledge or effort.
42. All buildings shall be equipped with fire sprinklers.
43. Fire sprinkler monitoring alarms shall be required for each structure. Fire alarm control units shall be placed in a closet used exclusively for fire equipment.
44. An on-site fire hydrant is required if any of the structures exceed fire flow or permissible hose lay distances as expressed in CFC Appendices B & C. Fire hydrant locations are not shown on Sherwood.
45. The fire access road must comply with California Fire Code for width, slope, and design parameters.

Planning Department

General

46. On-site vandalism and graffiti shall be corrected per the Madera Municipal Code.
47. 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 and refuse containers scheduled to service the subject property.
48. 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.
49. The applicant shall comply with all federal, state and local laws. Material violations of any of those laws may be cause for corrective action.

Building and Site Aesthetics

50. The construction of all buildings approved as part of PPL 2019-07 shall be in close conformance with the approved elevation drawings, as reviewed and approved by the Commission. Any substantial alteration shall require Commission approval.
51. Notwithstanding condition No. 50, the south/rear building elevations, due to visibility from Sherwood Way, shall be further enhanced with the following:
 - A wainscoting veneer shall be applied to the lower one-third of the building, to wrap around the interior of the building's gable pop-out, to the specifications of the Planning Department.
 - All windows shall include a window foam treatment complementary to the building's exterior colors.
 - Building lighting fixtures shall be decorative and be proportionate in number and location to the building's design. Wall packs shall not be permitted.
52. Final architectural treatments, as specified in condition No. 51, shall be applied to the north, east and west elevations of the building, as deemed appropriate by the Planning Department.

53. The final design of open space amenities shall be reviewed and approved by the Planning Department. At a minimum, a tot lot playground area and accompanying shaded barbeque/picnic areas shall be incorporated into the site design.
54. A colors and materials board shall be submitted to the Planning Department for review and approval prior to the commencement of construction on the site.
55. Prior to the issuance of building permits, the site plan shall identify 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
56. Wherever feasible, electrical/mechanical equipment shall be located in the interior of the proposed new structure within electrical/mechanical service rooms. When not feasible, electrical/mechanical equipment located either on the exterior of the building or ground-mounted shall be located such that it is not visible from the public right-of-way and screened with landscaping and/or fencing.
57. All ducts and vents penetrating roofs shall be directed away from the public entrances of the buildings using methods to minimize their appearance and visibility from the street. Placements preferred at rear sides of roof ridges. All roof-mounted ducts and vents to be painted matt black or with a color better suited to minimize their appearance. Any wall-mounted equipment shall be painted to match the exterior wall.
58. 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.
59. Natural gas meter placement shall be screened from public view per the specification of the Planning Department.
60. Backflow prevention devices shall be screened per the approval of the Planning Department.
61. Transformers and similar pad-mounted utilities must be screened per the approval of the Planning Department.
62. Roof access ladders (if any) shall be located within the building's interior.
63. 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.
64. All parking lot lights/lighting shall be incorporated into landscaped areas.
65. The developer shall contact the City Engineer when all site lighting is operational. Additional light screening may be required.

Landscaping

66. 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.
 - Areas throughout the project shall be planted so as to provide a minimum of 70% vegetative cover upon maturity.
 - Landscaped areas shall be developed along all street frontages and within parking fields.
 - Shade trees shall be planted throughout the parking lot, with a minimum of one tree per five parking spaces.
 - Landscaped areas are to be provided with permanent automatic irrigation systems.
 - A detailed planting list for landscaping, with the number, size, spacing (where applicable) and species of all plantings shall be included as part of the approved landscaping plan prepared by a licensed landscape architect.
67. 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 the developer's expense.
68. 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

69. Parking stalls shall be developed in close conformance with the approved site plan.
70. All parking and loading areas shall be marked and striped to city standards: Perpendicular (90 degrees) parking spaces shall measure a minimum of nine feet wide by nineteen feet deep. No compact stalls shall be incorporated into the parking field. The minimum drive aisle/backing/maneuvering space is 26 feet.
71. On-site parking shall be provided at all times in conformance with the Municipal Code. 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 the 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.
72. The parking shade structures shall be constructed in keeping with the architectural design of the apartment buildings on the site.

Signage

73. 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.

74. Address sign designs shall be approved by the Planning Department prior to the issuance of building permits.
75. All proposed construction announcement sign uses shall conform to the Municipal Sign Ordinance.

Walls and Fences

76. A double-bin 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.
77. Perimeter fencing shall be reviewed and approved as a component of a building permit plan check. The fencing material shall be of decorative wrought iron or of better quality.

San Joaquin Valley Air Pollution Control District

78. The applicant shall comply with the rules and regulations of the San Joaquin Valley Air Pollution Control District as directed within their letter dated September 12, 2019.

(OR)

Motion 2: Move to continue the public hearing on PPL 2019-07 to the December 10, 2019 Commission hearing, for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for PPL 2019-07, based on the following findings: (specify)

ATTACHMENTS

- Attachment 1: Aerial Map
- Attachment 2: SJVAPCD Letter
- Attachment 3: MUSD Letter
- Attachment 4: Initial Study & Negative Declaration
- Attachment 5: Site Plan, Floor Plan & Elevations

Attachment 1: Aerial Map



Attachment 2: SJVAPCD Letter



September 12, 2019

Robert Holt
City of Madera
205 W. Fourth Street
Madera, CA 93637

Project: PPL 2019-07

District CEQA Reference No: 193-20190021

Dear Mr. Holt:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of apartments, low rise with a total of 16 dwelling units (Project), located at Sherwood in Madera, CA. The District offers the following comments:

1. Significance Impact for Annual Criteria Pollutants Emissions - The 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) - District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site fees. The Project is not subject to District Rule 9510 because the project size is below the Rule 9510 applicability threshold for a residential development.

Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for the project level approval from the public agency. Information about how to comply with District

Seyed Sadredin
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
www.valleyair.org

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

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. Regulation VIII (Fugitive PM10 Prohibitions) - The Project will be subject to Regulation VIII. The project proponent is required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan, if applicable prior to commencing any earthmoving activities as described in District Rule 8021 - Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities. Information on how to comply with Regulation VIII can be found online at: http://www.valleyair.org/busind/comply/PM10/compliance_PM10.htm
4. Other District Rules and Regulations - The above list of rules is neither exhaustive nor exclusive. For example, the Project may be subject to the following District rules, including: Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). To identify other District rules or regulations that apply to this Project or to obtain information on the District's permit requirements, such as an Authority to Construct (ATC), the project proponent is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888 or e-mail SBA@valleyair.org. Current District rules can be found online at the District's website at: www.valleyair.org/rules/1ruleslist.htm.
5. Potential Air Quality Improvement Measures - The District encourages the following air quality improvement measures to further reduce Project related emissions from construction and operation. A complete list of potential air quality improvement measures can be found online at: <http://www.valleyair.org/ceqaconnected/aqimeasures.aspx>.
 - a. Cleaner Off-Road Construction Equipment - This measure is to utilize off-road construction fleets that can achieve fleet average emissions equal to or cleaner than the Tier III emission standards. This can be achieved through any combination of uncontrolled engines and engines complying with Tier III and above engine standards.
 - b. Improve Walkability Design - This measure is to improved design elements to enhance walkability and connectivity. Improved street network characteristics within a neighborhood include street accessibility, usually measured in terms of average block size, proportion of four-way intersections, or number of intersections per square mile. Design is also measured in terms of sidewalk coverage, building setbacks, street widths, pedestrian crossings, presence of street trees, and a host of other physical variables that differentiate pedestrian-oriented environments from auto-oriented environments.
 - c. Improve Destination Accessibility - This measure is to locate the project in an area with high accessibility to destinations. Destination accessibility is measured in terms of the number of jobs or other attractions reachable within a given travel time, which tends to be highest at central locations and lowest at peripheral ones. The location of the project also increases the potential for pedestrians to walk and bike to these destinations and therefore reduces the

VMT.

- d. Increase Transit Accessibility - This measure is to locate the project with high density near transit which will facilitate the use of transit by people traveling to or from the Project site. The use of transit results in a mode shift and therefore reduced VMT. A project with a residential/commercial center designed around a rail or bus station, is called a transit-oriented development (TOD). The project description should include, at a minimum, the following design features:
- A transit station/stop with high-quality, high-frequency bus service located within a 5-10 minute walk (or roughly ¼ mile from stop to edge of development), and/or
 - A rail station located within a 20 minute walk (or roughly ½ mile from station to edge of development)
 - Fast, frequent, and reliable transit service connecting to a high percentage of regional destinations
 - Neighborhood designed for walking and cycling

The District recommends that a copy of the District's comment letter be provided to the project proponent.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call the District's Technical Services staff at (559) 230-6000 or e-mail ceqa@valleyair.org. When calling or emailing the District, please reference District CEQA number 193-20190021 .

Sincerely,

Arnaud Marjollet
Director of Permit Services



Brian Clements
Program Manager

Attachment 3: MUSD Letter

MADERA UNIFIED SCHOOL DISTRICT
1902 Howard Road, Madera, California 93637
(559) 675-4500
FAX: (559) 675-1186
www.madera.k12.ca.us



Board of Trustees:
Ray G. Seibert, President
Ruben Mendoza, Clerk
Trustees:
Brent Fernandes, Joetta Fleak
Ed McIntyre, Lucy Salazar
Superintendent:
Todd Lile

October 14, 2019

Chris Boyle
Planning Manager
City of Madera
205 W 4th St
Madera, CA 93637

SUBJECT: PPL 2019-07 – Sherwood Apartments

Dear Mr.Boyle:

The purpose of this letter is to provide school district information relative to the above-referenced applications and to comply with Business and Professions Code section 11010, subdivision (b)(11)(A) regarding the provision of school-related information to the subdivider/owner and the State Department of Real Estate.

Residential development resulting from the project will affect the District by generating students that will need to be housed in District schools. Using the approximate dwelling units and the District's student generation rates, we have estimated the number of students potentially generated by the proposed plan. Assuming the project is a 16-unit multifamily apartment complex, and the project is located on north side of Sherwood Way, east of its intersection with Owens Street, the following comments can be made at this time:

- 1. The number of students generated by the project is estimated as follows:

Grade Group	Rate	Units	Students
K-6	0.334	16	5.34
7-8	0.098	16	1.57
9-12	0.174	16	2.78
	0.606		9.69

- 2. Elementary School Information:

- a. The subject land is presently within the attendance area of the elementary school (grades K-6) listed below:

School Name: Nishimoto Elementary School
Address: 26460 Martin Street Madera, Madera CA, 93638
Telephone: (559) 664-8110
Capacity: 750
Enrollment: 726
School Schedule: Traditional

- b. It is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend an elementary school other than the above school, and (2) students residing in the project area may attend more than one elementary school within the District during their K-6 school years.

MADERA UNIFIED SCHOOL DISTRICT
1902 Howard Road, Madera, California 93637
(559) 675-4500
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Ruben Mendoza, Clerk
Trustees:
Brent Fernandes, Joetta Fleak
Ed McIntyre, Lucy Salazar

Superintendent:
Todd Lile

3. Intermediate School Information:

- a. The project area is currently served by the following middle school (grades 7-8):

School Name: Jack Desmond Middle School
Address: 26490 Martin Street, Madera, CA 93638
Telephone: (559) 664-1775
Capacity: 1,000
Enrollment: 869
School Schedule: Traditional

- b. It is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend a middle school other than the above school, and (2) students residing in the project area may attend more than one middle school within the District during their 7-8 school years.

4. High School Information:

- a. The project area is currently served by the following high school (grades 9-12):

School Name: Madera South High School
Address: 705 W. Pecan Ave. Madera CA 93637
Telephone: (559) 675-4450
Capacity: 3,230
Enrollment: 3,407
School Schedule: Traditional

- b. It is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend a high school other than the above school, and (2) students residing in the project area may attend more than one high school within the District during their 9-12 school years.

5. The Madera Unified School District currently levies a fee of \$5.00 per square foot for residential development. Any new development on the subject property will be subject to the development fee in place at the time fee certificates are obtained.

The District hereby requests that the information in this letter be provided by the owner/subdivider to all prospective purchasers of property within the project.

Thank you for the opportunity to comment on the project. Please contact my office if you have any questions regarding this letter.

Sincerely,

A handwritten signature in blue ink that reads "Rosalind Cox".

Rosalind Cox
Director of Facilities Planning and
Construction Management

Attachment 4: Initial Study & Negative Declaration

CITY OF MADERA
INITIAL STUDY / ENVIRONMENTAL CHECKLIST

I. BACKGROUND AND PROJECT DESCRIPTION

1. **Application No.:**
Precise Plan 2019-07

2. **Project Title:**
Sherwood Apartments

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

4. **Contact Person and Phone Number:**
Jesus Orozco – (559) 661-5436

5. **Project Location:**
Approximately 250 feet east of the northeast intersection of Sherwood Way and Owens Street.

6. **Project Applicant's/Sponsor's Name and Address:**
V. Pogosyan & A. Sargsyan – 6162 West Pinedale Avenue, Fresno, CA 93722

7. **General Plan Designation:**
MD (Medium Density)

8. **Zoning:**
PD-3000 (Planned Development)

9. **Project Background:**
The proposal is an application for a precise plan to allow for the development of sixteen-unit multifamily residential complex. Two, two-story structures will contain 8 units each. Each unit contains 2 bedroom and 2 bathrooms. Site features will include a total of 37 parking stall, covered and uncovered and approximately 37,000 square feet of open space. As part of any formal submittal for building permit, the project shall be required to incorporate suitable open space amenities, such as, a tot lot playground area and accompanying shaded barbeque/picnic areas. Access is provided via a 30-foot easement which provides ingress and egress to and from the Owens Street right-of-way for both pedestrians and vehicles. Development of the property will require off-site improvements and other site appurtenances including landscape peninsulas, drive aisles, and walls and fences.

10. **Public Agencies Whose Approval or Review Is Required:**
Madera Irrigation District, Madera Unified School 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 vacant land at the northern fringe of the city. Rural residential lands are located to the east, west and north. Single family residential development is located to the south. Commercial land is located to the east of Owens Street along the Country Club Drive commercial corridor. Single family residential development is nearby to the east and north. The project site encompasses approximately 1.43 acres and access will only be provided from Owens Street.



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?			✓	
<p><u>Discussion</u> 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 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.</p> <p><u>Less than Significant Impacts</u> 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.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><u>No Impacts</u></p> <p>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.</p> <p>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.</p> <p>c) The project is located in an urbanized area and would not conflict with the applicable zoning and other regulations governing scenic quality.</p>				
<p>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:</p>				
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 “Urban and Built-Up 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 “Urban and Built-Up Land” on the 2016 California Farmland Mapping and Monitoring Program map, which includes land that is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. The project site has been identified for residential use within the City of Madera General Plan, and the land is not currently being utilized for agricultural purposes.
- 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 eight-unit apartment complex, will not involve other changes in the existing environment, due to the project property’s location or nature,

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			✓	
<p>Discussion</p> <p>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).</p> <p>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.</p> <p>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.</p> <p>The project would not conflict with or obstruct the implementation of applicable Regional Air Quality Control Plans.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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.</p>				
<p>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.</p>				
<p>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.</p>				
<p><u>Less than Significant Impacts</u></p>				
<p>a) According to the San Joaquin Valley Air Pollution Control District (SJVAPCD), the project is subject to some District Rules. The project will not conflict with or obstruct implementation of the applicable air quality plan.</p>				
<p>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).</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>c) The project would not expose sensitive receptors to substantial pollutant concentrations.</p> <p>d) The development of the project would not result in other emissions, such as those leading to odors adversely affecting a substantial number of people.</p>				
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?				✓
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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.
- e) The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
<p><u>Discussion</u> 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.</p> <p><u>No Impacts</u></p> <p>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.</p> <p>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.</p> <p>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 Resources Code Section 21083.2 and 21084.1), and all local, state, and federal regulations affecting archaeological and historical resources would be complied with.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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				
<p>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.</p>				
No Impacts				
<p>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.</p>				
7. GEOLOGY AND SOILS. Would the project:				
<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>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 Mines and Geology Special Publication 42.</p>				✓
ii. Strong seismic ground shaking?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
<p><u>Discussion</u></p> <p>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.</p> <p><u>No Impacts</u></p> <p>a)</p> <p>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 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</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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.</p> <p>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 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.</p> <p>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.</p> <p>iv. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides.</p> <p>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.</p> <p>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.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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.</p> <p>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.</p> <p>f) The project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</p>				
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?			✓	
<p>Discussion</p> <p>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.</p> <p>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.</p> <p>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</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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.				
<u>Less than Significant Impacts</u>				
<p>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.</p> <p>b) The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.</p>				
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?				✓
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				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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 and will be delineated with the accompanying precise 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 an airport land use plan and would result in a safety hazard for people residing or working in the project area.
- 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.

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

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><u>Discussion</u></p> <p>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 or 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.</p> <p>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.</p> <p>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.</p> <p><u>No Impacts</u></p> <p>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.</p> <p>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.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>c)</p> <ul style="list-style-type: none"> 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. <p>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.</p> <p>e) The project does not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.</p>				
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
<p><u>Discussion</u> 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.</p> <p><u>No Impacts</u></p> <p>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.</p> <p>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.</p>				
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?				✓
<p><u>No Impacts</u></p> <p>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.</p> <p>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.</p>				
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?				✓
<p><u>Discussion</u> 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.</p> <p><u>No Impacts</u></p> <p>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.</p> <p>b) The project would not generate excessive ground borne vibration or ground borne noise levels.</p> <p>c) The project site is not located within the vicinity of a private airstrip or an airport land use plan and would not expose people residing or working in the project area to excessive noise levels.</p>				
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
<p><u>Discussion</u> 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.</p> <p><u>Less than Significant Impacts</u> a) The project does induce unplanned population growth in the area directly with the construction of eight new dwelling units, but the growth will not be substantial.</p> <p><u>No Impacts</u> b) The project will not displace substantial numbers of existing people or housing which will not necessitate the construction of replacement housing elsewhere.</p>				
<p>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:</p>				
a) Fire protection?				✓
b) Police protection?				✓
c) Schools?				✓
d) Parks?				✓
e) Other public facilities?				✓
<p><u>Discussion</u> 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.</p> <p>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</p>				

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.				
<u>No Impacts</u>				
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. The Madera Unified School District levies a school facilities fee to assist defraying the impact of residential development.				
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?				✓
<u>Discussion</u>				
Residential 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.				
<u>No Impacts</u>				
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 will include the construction of a large open space community area with a playground and two benches that would provide for recreational activities, but they will not 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?				✓
<p><u>Discussion</u></p> <p>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.</p> <p><u>No Impacts</u></p> <p>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 Department standards and Americans with Disabilities Act (ADA) standards.</p> <p>b) The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). The project is not located within one-half mile of an existing major transit stop or along an existing high-quality transit corridor.</p> <p>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).</p> <p>d) The project would not result in inadequate emergency access.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
18. Tribal Cultural Resources. Would the project:				
<p>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:</p> <p>a) 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), or</p>				✓
<p>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</p>				✓
<u>No Impacts</u>				
<p>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).</p> <p>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 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.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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 of 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?				✓
<p>Discussion</p> <p>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.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>Less than Significant Impacts</u>				
a) The project would require the construction of new water and storm water drainage facilities, but the construction would not cause significant environmental effects.				
<u>No Impacts</u>				
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 plan 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?				
<p>Discussion</p> <p>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.</p> <p>No Impacts</p> <p>a) The project would not substantially impair an adopted emergency response plan or emergency evacuation.</p> <p>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.</p> <p>c) The project would not require the installation or maintenance of roads and will not exacerbate fire risk or result in temporary or ongoing impacts to the environment as the project is also not located in or near state responsibility areas or lands classified as very high fire hazard severity zones.</p> <p>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.</p>				
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?				✓
<p><u>Discussion</u> 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, and Utilities and Service Systems.</p> <p>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.</p> <p><u>No Impacts</u></p> <p>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.</p> <p>b) The project would not have cumulatively considerable impacts that are beyond less than significant.</p> <p>c) The project would not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.</p>				

IV. DETERMINATION

On the basis of this initial evaluation:

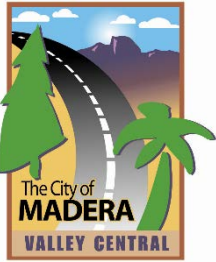
I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in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

Attachment 5: Site Plan, Floor Plans & Elevations



CITY OF MADERA PLANNING COMMISSION

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

Staff Report: Naz Sixplex VAR 2019-06, SPR 2019-24 & Categorical Exemption Item # 5 – November 12, 2019

PROPOSAL: Consideration of a request for a variance from the open space requirements of the R (Residential) Zone District of the Madera Municipal Code (MMC) and site plan review to allow for the conversion of a former adult daycare building into a multifamily residential six-plex.

APPLICANT:	Gary A. Rogers (Architect)	OWNER:	Aftab Naz
ADDRESS:	322 West 6 th Street	APN:	010-132-001
APPLICATION:	VAR 2019-06 & SPR 2019-24	CEQA:	Categorical Exemption

LOCATION: The project is located on the southeast corner of the intersection of West 6th Street and South I Street.

STREET ACCESS: The property has access to South I Street.

PARCEL SIZE: Approximately 0.26 acres.

GENERAL PLAN DESIGNATION: HD (High Density)

ZONING DISTRICT: R3 (High Density)

SITE CHARACTERISTICS: The project site is generally surrounded by a mix of low- and medium-density residential properties. Highway 99 and the new Madera County Courthouse are east of the project site.

ENVIRONMENTAL REVIEW: This project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).

SUMMARY: The applicant has requested a variance from the open space requirements of the R (Residential) Zone District in conjunction with a site plan review to convert a former adult daycare into a multifamily residential six-plex. Granting of the variance would not have a significant adverse effect to the character of the property or the surrounding neighborhood. A justification for the variance can be made because the construction of the existing building occurred prior to the amendment of the Madera Municipal Code (MMC) that provided open space requirements. Although enough open space could be provided, that would result in a requirement for a variance from the parking standards. Findings in support of the variance can be made.

APPLICABLE CODES AND PROCEDURES

MMC §10-3.1401 Variances – Necessity
MMC §10-3.4.0101 Site Plan Review
MMC §10-3.1202 Parking Regulations

A variance may be granted by the 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. Necessary conditions for granting a variance can only occur when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance deprives a property owner of privileges enjoyed by other property in the vicinity under identical zoning classification. 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.

Site plan review is required for all uses of property which involve construction of new structures, or new uses which necessitate on-site improvements.

PRIOR ACTION

Development of the site occurred in 1936 and the last known use for the building was administrative offices for the County jail. In 1989, the City of Madera received approval of a use permit to use the first floor of the building as an adult daycare facility. Shortly thereafter, a use permit was approved in 1991 to allow Madera County School District to use the second floor as housing for special education students.

ANALYSIS

Site Plan Review

The site plan review is necessary because the proposal of six dwelling units is a new use from the previous office/senior living quarters uses which necessitate on-site improvements; most notably ADA improvements. The property is located in the R3 (High Density) Zone District which requires development standards comply with the requirements of the R (Residential) Zone District. The following development standards apply to this project:

Setbacks

The setback requirements of the R (Residential) Zone District which the project property is located within are as follows:

<u>Setback Area</u>	<u>Setback Requirement</u>	<u>Setback Provided</u>
Front Yard	15' to living space	93' to living space
Exterior Side Yard	10'	12'
Interior Side Yard	5'	3'
Rear Yard	15'	24'-6"

The interior side yard setback has been existing non-conforming since the building was originally constructed. The variance will memorialize the existing non-conforming setback in addition to allowing for less than the required minimum amount of open space.

Parking

The minimum number of parking stalls for a multifamily residential six-plex with six two-bedroom dwelling units is twelve parking stalls for the residents and two guest parking stalls, equating to a total of fourteen parking stalls. Of the fourteen parking stalls, at least six should be covered. The site plan indicates there will be fourteen parking stalls, six of which are covered. There is sufficient parking to serve the residents.

Open Space

The minimum amount of open space for a multifamily residential project in the R3 Zone District is 500 square feet for each dwelling unit. It should be noted that open space is defined in the MMC as having a minimum dimension of ten feet and is usable open space for lounging, recreational activities, etc. Also, in the R (Residential) Zone District, all applicable open space within required setbacks shall be deducted by fifty percent. This equates to a total amount of approximately 1,260 square feet of open space, which is well under the minimum requirement of 3,000 square feet. A variance is required to be approved for the allowance of less than the minimum open space requirement.

General Plan Conformance

The proposed exterior remodel requires consistency with the goals and policies of the General Plan, specifically high architectural quality. The following policies are applicable to residential architectural design:

Policy CD-1 The City of Madera will require that all new development is well-planned and of the highest possible quality. The City will seek to build an image of Madera as a contemporary small city with vibrant, livable neighborhoods and walkable pedestrian- and bicycle-oriented development.

Policy CD-33 The exterior of residential buildings shall be varied and articulated to provide visual interest to the streetscape.

Policy CD-34 The exterior of residential buildings shall reflect attention to detail as necessary to produce high architectural design and construction quality. Where side and/or rear exterior elevations of residential buildings are visible from any street or public rights-of-way, they shall incorporate architectural treatments in keeping with the front (primary) elevation.

Policy CD-35 The City encourages a variety of features such as front porches and verandas in all new residential development.

Policy CD-39 New homes built in existing residential neighborhoods should match their context in terms of design and scale.

The primary elevations for the structure are the western, eastern and northern elevations. Currently, the building architecture is outdated and needs to be rehabilitated. The applicant is proposing an embellished exterior to include lapboard siding on the upper half with the lower half having a stucco exterior. Stone veneer is proposed to wrap along the raised sections of the ADA access ramps. Additional windows are proposed, and window shutters will be provided along the southern elevation.

Landscaping

Landscaping plans are required as an element of the site plan review. Attention to detail and aesthetic design is necessary to satisfy Goal 4 of the Community Design Element, which requires "Attractive streetscapes in all areas of Madera." Staff recommends landscape and irrigation plans consistent with the State's Model Water Efficient Landscape Ordinance be submitted to the Planning Department for review and approval prior to issuance of building permits.

Variance Request & Applicability

The existing building was constructed prior to the current development standards for open space in R (Residential) Zone Districts. The applicant's justification letter identifies that the existing building footprint and minimum requirements for the number of parking stalls do not allow enough area to provide sufficient open space consistent with the MMC. The justification letter has been included as an attachment (see Attachment 2).

Variance Requirements

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 Findings

The applicant's justification letter explains that the size of the building and parking stall requirement does not allow for enough area to provide a sufficient amount of open space to serve six multifamily dwelling units in the R3 (High Density) Zone District. The zoning ordinance of the MMC was amended in December of 1985 that added the open space requirements. The intent of the zone district is to allow for multifamily uses, including a six-plex. Because the construction of the building occurred in 1936, prior to the requirement for open space and the zone district's intention is to allow for multifamily dwelling units, there is justification to allow for less than the required amount of open space. Although enough open space can be allowed at the front of the building, it would create another obstacle in not allowing a sufficient number of parking stalls for the units. Unless the building is demolished, there isn't an option that would allow for both the minimum number of parking stalls and minimum amount of open space. In order to alleviate the justification, the applicant has proposed exterior embellishments that provide for a more attractive residential building. Also, the building was constructed prior to the setback requirements of the R (Residential) Zone District, allowing for a justification to be made to allow for the memorialization of the three-foot interior side yard setback of the existing structure.

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

The first of the four core vision statements is "A Well-Planned City." The Commission, considering how the project and infrastructure can be maintained, is actively implementing this key concept of the Vision Plan. Moreover, approval of the project will help provide consistency with Strategy 131, which states,

“Create well-planned neighborhoods throughout Madera that promote connectivity and inclusiveness with a mix of densities.”

RECOMMENDATION

The information presented in this report provides support for the conditional approval of the site plan review and variance request. It is recommended that the Commission consider the information in this report, as well as testimony in the public hearing, and make a determination on VAR 2019-06 and SPR 2019-24, subject to the findings and conditions of approval.

PLANNING COMMISSION ACTION

The Commission will be acting on VAR 2019-06 and SPR 2019-24 and determine 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 applications is subject to appeal to the City Council within fifteen calendar days of the Commission’s action.

Motion 1: Move to approve VAR 2019-06 and SPR 2019-24, subject to the findings and conditions of approval as listed:

Findings

- This project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).
- As conditioned, development of the site is consistent with the Madera General Plan principles, goals and policies.
- Because the building was constructed prior to the adoption of the Madera Municipal Code (MMC) amendment including setback and open space requirements of the R (Residential) Zone District and no other alternative is available other than the demolition of the building, a variance may be granted to allow for less than the required amount of open space and the memorialization of the existing three-foot interior side yard setback.
- 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. All plans submitted for on-site construction or building permits shall incorporate and reflect all requirements outlined in the herein listed conditions of approval. In the event deviations from these requirements arise, or for any future changes or additions not considered by the Planning Commission, a request in writing shall be submitted to the Planning Manager for review and approval. The Planning Manager may determine that substantive changes require a formal modification to the site plan, floor plan and/or elevations by the Commission.
3. The project shall be developed in accordance with the conditions of approval listed herein and the approved site plan, floor plans and elevation drawings. Minor modifications to the approved plans necessary 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.
4. SPR 2019-18 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. SPR 2019-18 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 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.
7. 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.
8. All on- and off-site improvements shall be completed prior to issuance of final occupancy.

Building Department

9. At the time of submittal for building permit plan check, a minimum of three sets of the following plans to the Building Department are 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 utility 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. 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, easement acceptance, encroachment permit processing and improvement inspection fees.
13. Improvement plans signed and sealed by an engineer shall be submitted to the Engineering Department in accordance with the submittal process.
14. The improvement plans for this project shall include the most recent version of the City's General Notes.
15. Improvements within the City right-of-way require an encroachment permit from the Engineering Department.
16. All off-site improvements shall be completed prior to issuance of final occupancy.
17. The applicant shall coordinate with the United States Post Office relative to the proposed location of the postal boxes for the project.

Sewer

18. New or existing sewer service connection(s) shall be constructed or upgraded to current City standards.
19. The existing sewer connection will need to be upgraded to include a cleanout per City standards, if not previously installed.
20. Existing sewer connections that will not be used for this project shall be abandoned at the mains per current City of Madera standards.
21. Sewer main connections six-inches and larger in diameter shall require manhole installation.

Storm Drain

22. The developer is responsible for determining to which facility the storm water runoff from the site ultimately drains. If storm runoff from this project will surface drain into existing facilities and eventually into the MID canal, then said runoff from the site must be cleaned before entering the existing storm water system to the satisfaction of the Madera Irrigation District through the use of an on-site oil/water separator or drop inlet inserts at drop inlets that receive runoff from the site or the developer shall work with MID to secure a waiver for said requirement.
23. This project shall, as applicable, 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. CAS000004. For the purpose of this development, post development runoff shall match or be less than pre-development runoff. The development shall be subject to future inspections by the City or other designated agencies relative to the improvements installed, if any, as a result of this condition to ensure they remain in compliance with the conditions imposed under this condition.

Streets

24. The developer shall repair or replace all broken or damaged concrete improvements including curb, gutter, and sidewalk to current City of Madera and ADA standards. The limit of repairs will be established by the City Engineering Inspector.
25. The existing ADA access ramp on the southeast corner of South I Street and West 6th Street shall be upgraded/reconstructed to meet current City and ADA standards.
26. If the applicant believes that a hardship waiver is applicable based on the cost of these ADA improvements in relation to the overall project costs, a request for waiver may be submitted for consideration and an ultimate determination by the City.
27. The developer shall annex into and execute such required documents that may be required to participate in Landscape Maintenance Zone District Zone 51 for the purposes of participating in the cost of maintaining landscape improvements within said zone.

Water

28. Existing or new water service connection(s) shall be upgraded or constructed to current City standards including an Automatic Meter Reading (AMR) water meter installed within the City's right-of-way and a backflow prevention device installed within private property.
29. A separate water meter and backflow prevention device shall be required for landscaped areas.
30. Existing water service connections that will not be used for this project shall be abandoned at the mains per City of Madera standards.

Fire Department

31. One, 2A10BC-rated fire extinguisher shall be required for each 3,000 square feet or fraction thereof on each floor level. Fire extinguishers shall be within 75 feet of travel distance on the level they are provided for.
32. The address shall be posted and plainly visible from the street. Each unit shall also be addressed and the addressed shall be posted and clearly visible to first responders.
33. Fire sprinklers shall be required. A minimum of an NFPA 13R system shall be provided.
34. A fire alarm system shall be required in accordance with California Fire Code (CFC) 907.2.9.
35. A Knox box shall be provided for access.
36. Exterior walls and wall openings adjacent to the property line wall may need fire resistance-rated construction. Detailed plans shall be provided to the Fire Marshal for final determination.

37. All units shall be separated in accordance with the California Building Code (CBC) including attic spaces.

Planning Department

General

38. On-site 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 on the site.
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.

Variance

42. VAR 2019-06 allows for less than the minimum required amount of open space of the R3 (High Density) Zone District. Open space areas shall be consistent with the approved site plan.

Elevations

43. The exterior remodel of the building shall be in conformance with the approved elevation drawings, as reviewed and approved by the Commission.
44. The exterior remodel shall be consistent with an approved color and materials board to be reviewed and approved by the Planning Department. Any substantial alteration may require Commission approval.

Landscaping

45. 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.
 - Areas throughout the project shall be planted so as to provide a minimum of 70% vegetative cover upon maturity.
 - Landscaped areas shall be developed along all street frontages and within parking areas.
 - Shade trees shall be planted in parking areas.
 - Landscaped areas shall be provided with permanent automatic irrigation systems.
 - A detailed planting list for landscaping, with the number, size, spacing (where applicable) and species of all plantings shall be included as part of the approved landscaping plan prepared by a licensed landscape architect.
46. 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

- 47. The parking field shall be slurry sealed. Due to potential weather issues not allowing the parking field to be slurry sealed, a new slurry seal shall be applied by no later than June 1, 2020.
- 48. Parking stalls shall be developed in close conformance with the approved site plan.
- 49. On-site parking shall be provided at all times in conformance with the Madera Municipal Code. 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 the 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

- 50. 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.
- 51. Address sign designs shall be approved by the Planning Department prior to issuance of building permits.
- 52. All proposed construction announcement sign uses shall conform to the Municipal Sign Ordinance.

Walls and Fences

- 53. A trash enclosure shall be constructed of split-faced masonry block consistent with City standards with a finish color to match the primary structure. The location of the trash enclosure shall be consistent with the approved site plan (see Attachment 2).

(OR)

Motion 2: Move to continue the public hearing on CUP 2019-11 and SPR 2019-18 to the December 10, 2019 Commission hearing, for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for CUP 2019-11 and SPR 2019-18, based on the following findings: (specify)

ATTACHMENTS

Attachment 1: Aerial Map

Attachment 2: Site Plan and Floor Plan

Attachment 1: Aerial Map



Attachment 2: Site Plan and Floor Plan

WEST 6th STREET

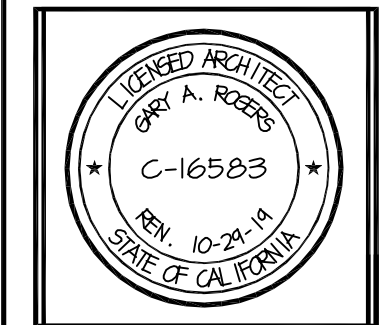
Site Data

APN : 010-132-001
 SITE ADD. : 322 W. 6th ST.
 MADERA, CA. 93637

Site Area

LOT :	11,250	SQ. FT.
BUILDING FOOTPRINT :	2,550	SQ. FT.
		22.6 %
OPEN SPACE :	2,153	SQ. FT.
	358.8	SQ. FT. PER UNIT
PARKING AREA :	4,830	SQ. FT.
TRASH ENCLOSURE AREA :	136	SQ. FT.
RAMP / PORCH AREA :	470	SQ. FT.
OPEN SPACE WITH PORCH :	2,623	SQ. FT.
	437.1	SQ. FT. PER UNIT

Gary A. Rogers - Architect
 1816 HOWARD ROAD - SUITE 8
 MADERA, CALIFORNIA 93637
 FAX: (559) 674-6599
 OFFICE: (559) 674-6598
 PLANNING * DESIGNING * CONSTRUCTION PROBLEM SOLVING

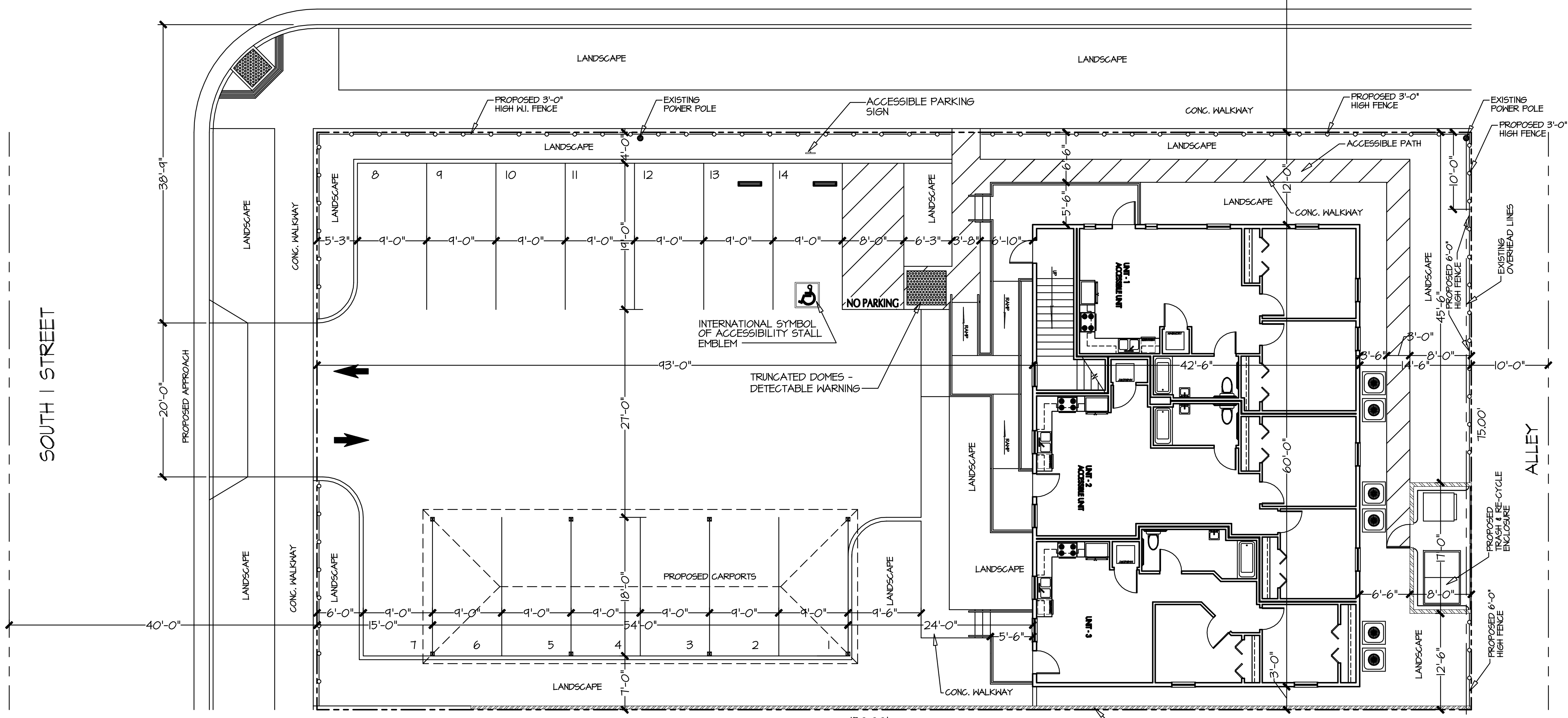


AFTAB NAZ
 1111 W. 4th. St.
 MADERA, CA. 93637 (559) 673-3000
 SITE: 322 W. 6th Street

PLANS FOR:

DRAWN BY
 T. ARMENTROUT
 CHECKED BY
 DATE
 10 / 2019
 SCALE
 1"=10'-0"
 JOB NO.
 322 W. 6th. St.
 SHEET

S.1
 OF SHEETS



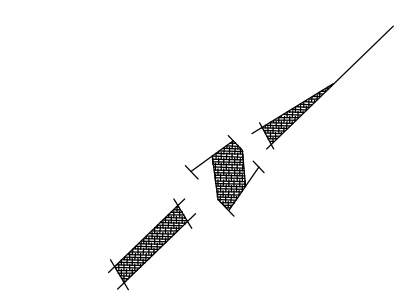
NOTE:
 ACCESSIBLE PATH OF TRAVEL AS INDICATED ON PLAN IS A BARRIER-FREE ACCESS ROUTE WITHOUT ANY ABRUPT LEVEL CHANGES EXCEEDING 1/2" IF BEVELED AT 1:2 MAX. SLOPE, OR VERTICAL LEVEL CHANGES NOT EXCEEDING 1/4" MAX. AND AT LEAST 48" IN WIDTH. SURFACE IS STABLE, FIRM, AND SLIP RESISTANT. CROSS SLOPE DOES NOT EXCEED 2% AND SLOPE IN THE DIRECTION OF TRAVEL IS LESS THAN 5%, UNLESS OTHERWISE INDICATED. ACCESSIBLE PATH OF TRAVEL SHALL BE MAINTAINED FREE OF OVERHANGING OBSTRUCTIONS TO 80" MINIMUM, AND PROTRUDING OBJECTS GREATER THAN 4" PROJECTION FROM WALL AND ABOVE 27" AND LESS THAN 80". ENGINEER SHALL VERIFY THAT THERE ARE NO BARRIERS IN THE PATH OF TRAVEL.

ACCESSIBLE LOADING ZONES SHALL BE PAINTED WITH 3" WIDE STRIPES AT 36" O.C. WITH WHITE TRAFFIC PAINT.

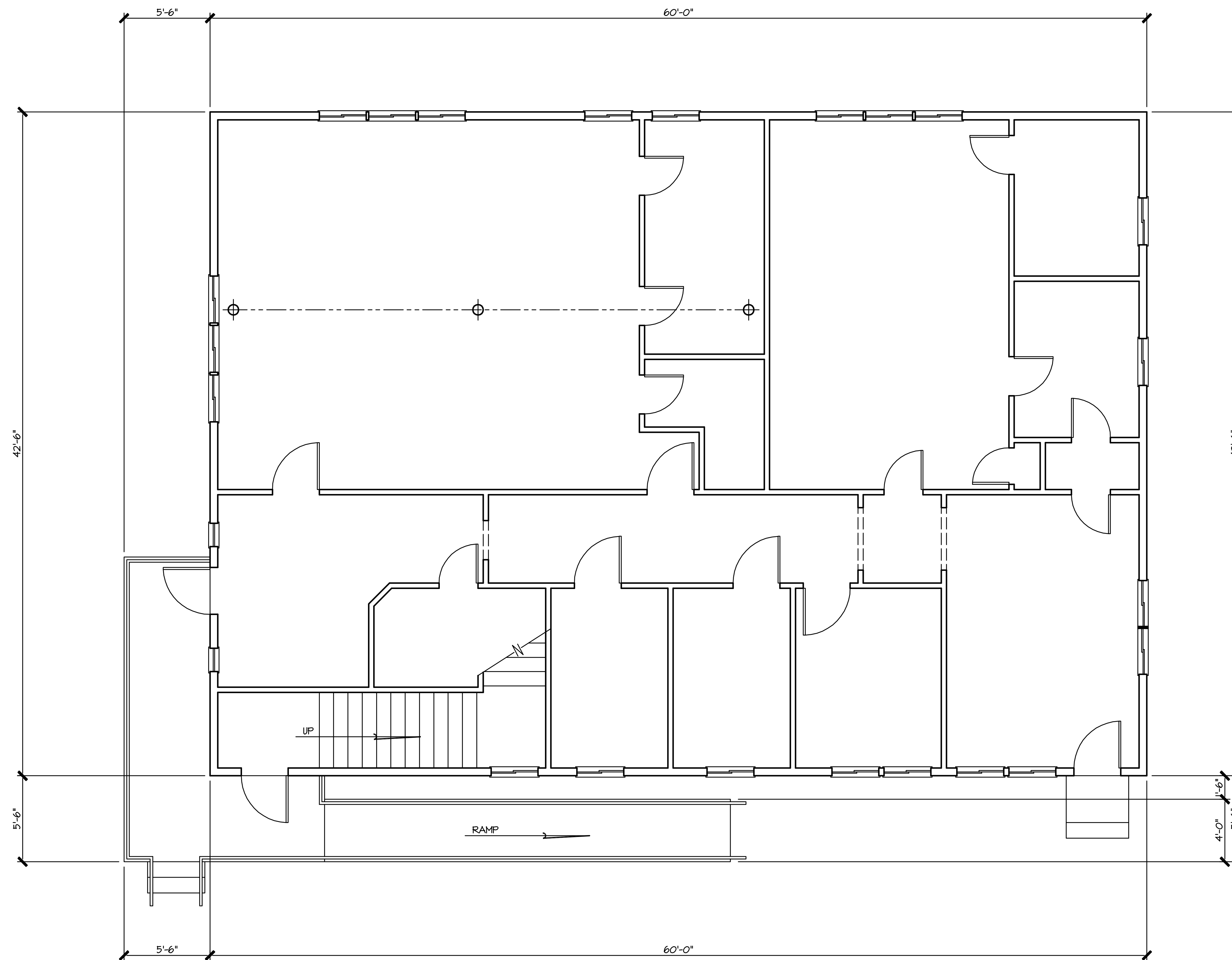
3" WIDE BLUE TRAFFIC PAINT AROUND ACCESSIBLE LOADING ZONE.

ACCESSIBLE PARKING SIGNAGE W/ TOW AWAY / \$ 250.00 FINE SIGN

CONCRETE WHEEL STOPS SHALL MEASURE 48" MIN. IN LENGTH AT ACCESSIBLE STALLS.



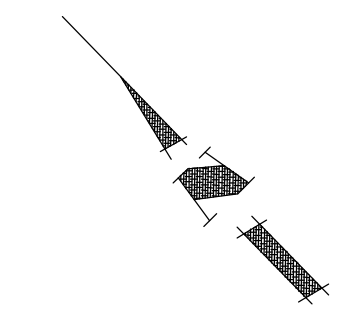
SITE PLAN
WEST 6TH STREET APARTMENT COMPLEX



BUILDING AREAS

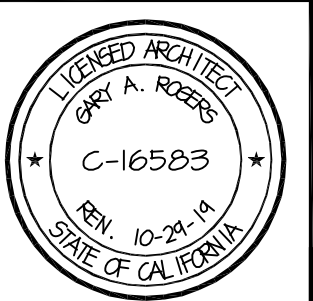
FIRST FLOOR AREA:	2550	S.F.
SECOND FLOOR AREA:	2550	S.F.
TOTAL LIVING AREA:	5100	S.F.

EXISTING FIRST FLOOR
WEST 6TH STREET APARTMENT COMPLEX



Gary A. Rogers - Architect

1816 HOWARD ROAD - SUITE 8
MADERA, CALIFORNIA 93637
FAX: (559) 674-6599
OFFICE: (559) 674-6598
PLANNING • DESIGNING • CONSTRUCTION PROBLEM SOLVING



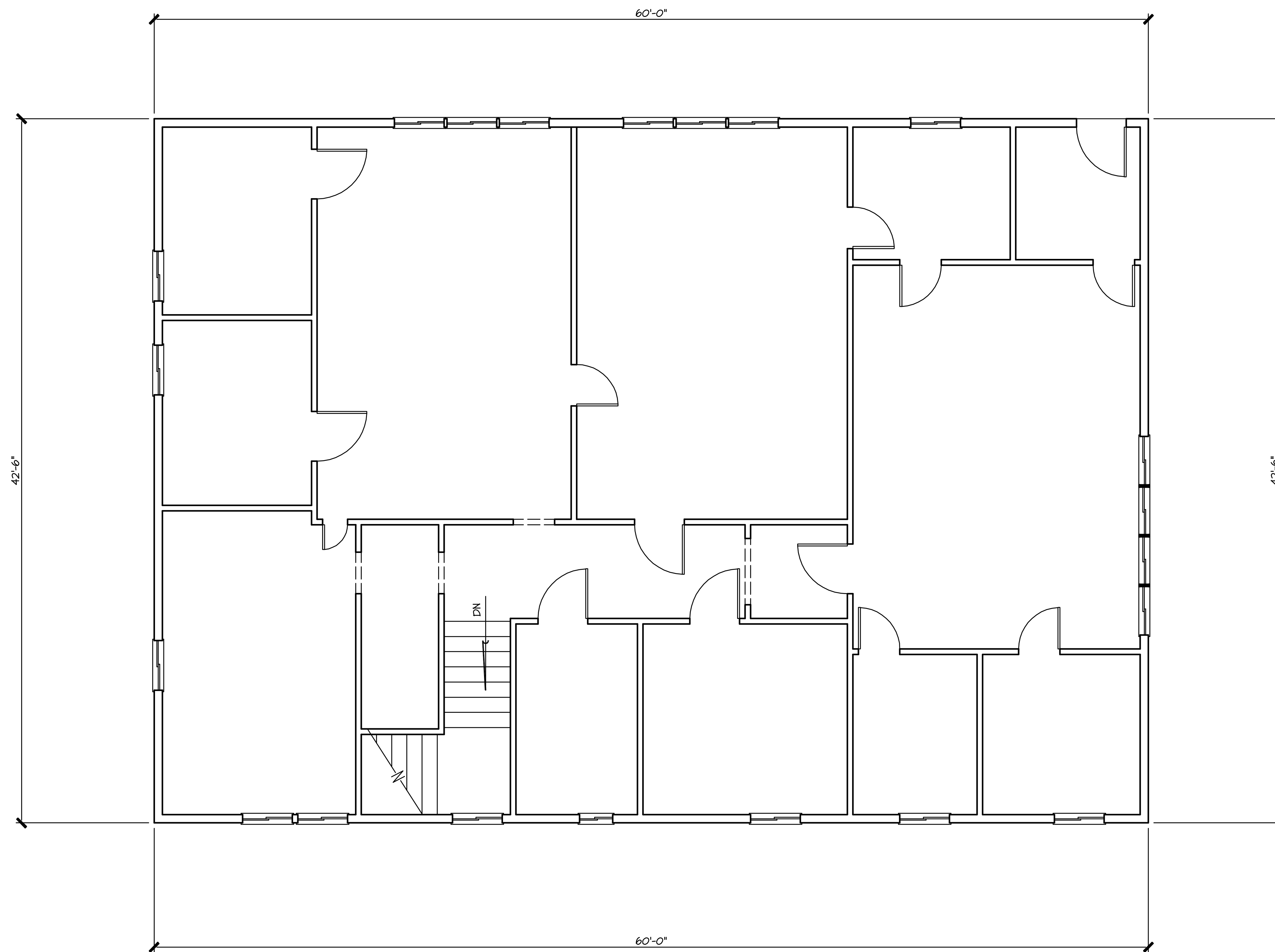
AFTAB NAZ
1111 W. 4th. St.
MADERA, CA. 93637 (559) 673-3000

SITE: 322 W. 6th Street

PLANS FOR:

DRAWN BY
T. ARMENTROUT
CHECKED BY
DATE
9 / 2019
SCALE
1/4"=1'
JOB NO.
322 W. 6th. St.
SHEET

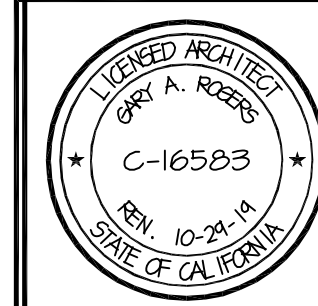
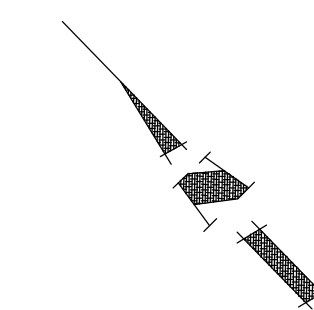
A.1
OF SHEETS



BUILDING AREAS

FIRST FLOOR AREA:	2550	S.F.
SECOND FLOOR AREA:	2550	S.F.
TOTAL LIVING AREA:	5100	S.F.

**EXISTING SECOND FLOOR
WEST 6TH STREET APARTMENT COMPLEX**



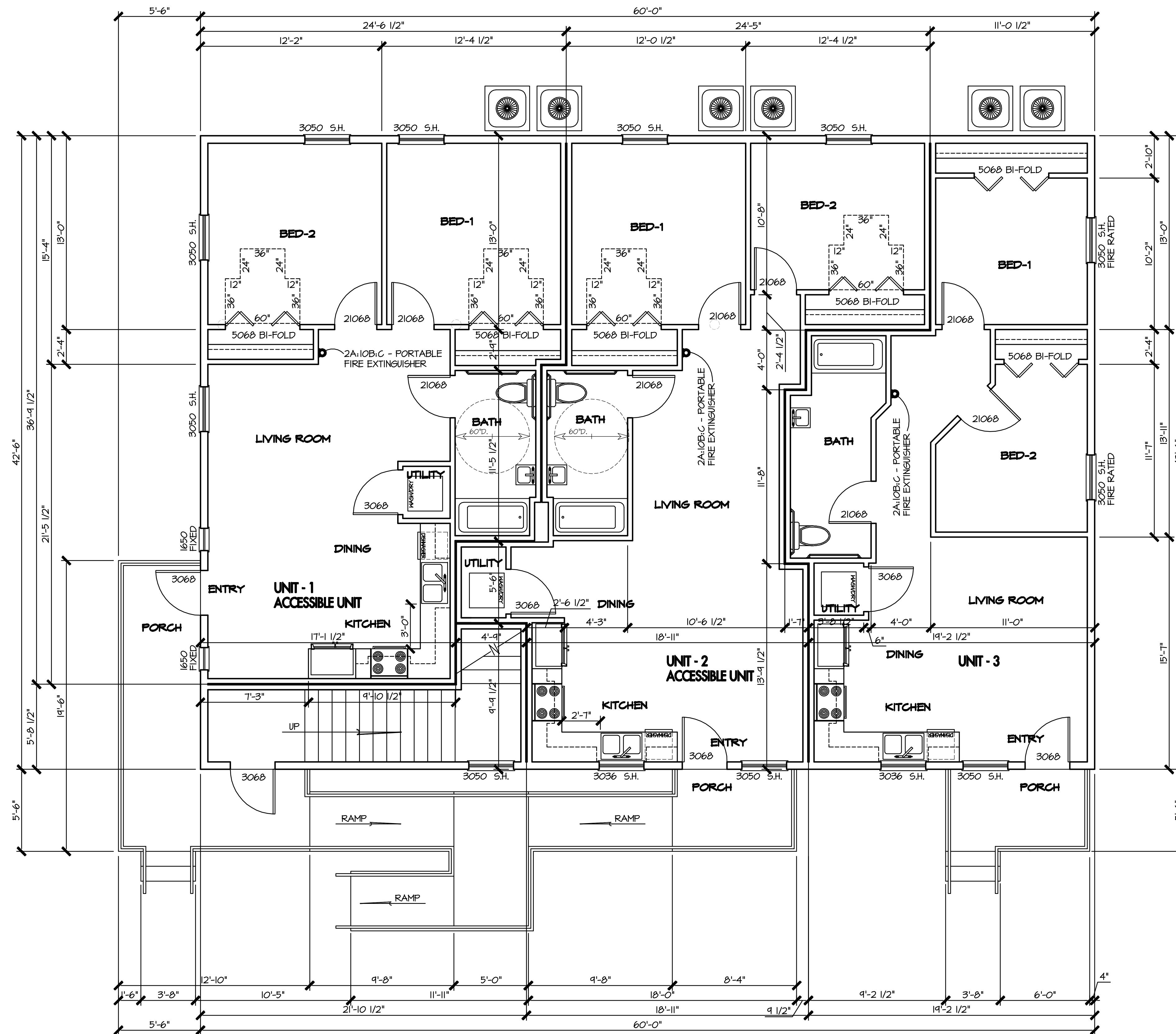
Gary A. Rogers - Architect
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AFTAB NAZ
 1111 N. 4th. St.
 MADERA, CA. 93637 (559) 673-3000
 SITE: 322 N. 6th Street

PLANS FOR:

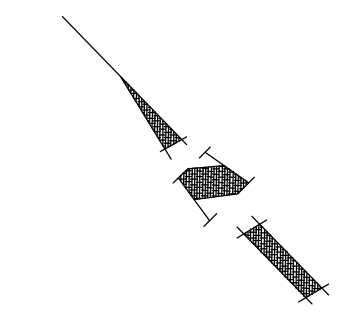
DRAWN BY
 T. ARMENTROUT
 CHECKED BY
 DATE
 9 / 2019
 SCALE
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 JOB NO.
 322 N. 6th. St.
 SHEET

A.2
 OF SHEETS



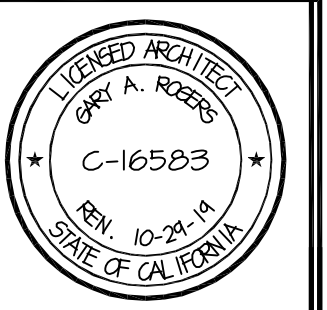
UNIT - 1 BUILDING AREA	FLOOR AREA:	812	S.F.
UNIT - 2 BUILDING AREA	FLOOR AREA:	865	S.F.
UNIT - 3 BUILDING AREA	FLOOR AREA:	729	S.F.
UNIT - 4 BUILDING AREA	FLOOR AREA:	876	S.F.
UNIT - 5 BUILDING AREA	FLOOR AREA:	755	S.F.
UNIT - 6 BUILDING AREA	FLOOR AREA:	726	S.F.
STAIRWAY / HALL BUILDING AREA	FLOOR AREA:	331	S.F.

BUILDING AREAS			
FIRST FLOOR AREA:	2550	S.F.	
SECOND FLOOR AREA:	2550	S.F.	
TOTAL LIVING AREA:	5100	S.F.	



**PROPOSED FIRST FLOOR
WEST 6TH STREET APARTMENT COMPLEX**

Gary A. Rogers - Architect
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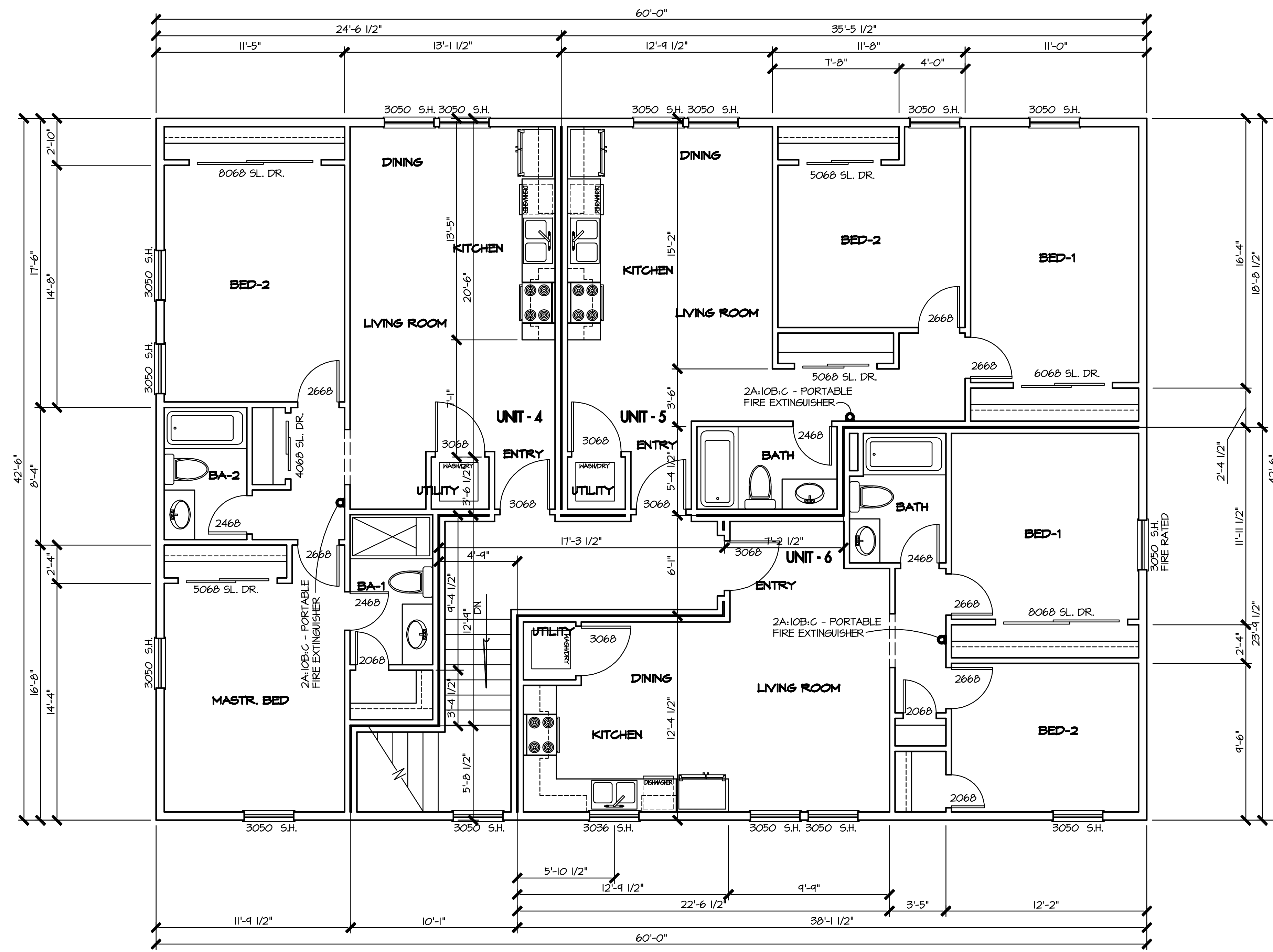


AFTAB NAZ
 1111 N. 4th. St.
 MADERA, CA. 93637 (559) 673-3000
 SITE: 322 W. 6th Street

PLANS FOR:

DRAWN BY
 T. ARMENTROUT
 CHECKED BY
 DATE
 10 / 2019
 SCALE
 1/4"=1'
 JOB NO.
 322 W. 6th. St.
 SHEET

A.3
 OF SHEETS

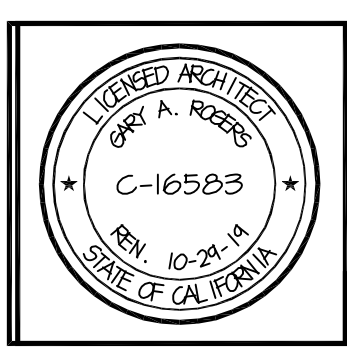


UNIT - 1 BUILDING AREA	FLOOR AREA:	812	S.F.
UNIT - 2 BUILDING AREA	FLOOR AREA:	865	S.F.
UNIT - 3 BUILDING AREA	FLOOR AREA:	729	S.F.
UNIT - 4 BUILDING AREA	FLOOR AREA:	876	S.F.
UNIT - 5 BUILDING AREA	FLOOR AREA:	755	S.F.
UNIT - 6 BUILDING AREA	FLOOR AREA:	726	S.F.
STAIRWAY / HALL BUILDING AREA	FLOOR AREA:	331	S.F.

BUILDING AREAS			
FIRST FLOOR AREA:	2550	S.F.	
SECOND FLOOR AREA:	2550	S.F.	
TOTAL LIVING AREA:	5100	S.F.	

**PROPOSED SECOND FLOOR
WEST 6TH STREET APARTMENT COMPLEX**

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 PLANNING • DESIGNING • CONSTRUCTION PROBLEM SOLVING



AFTAB NAZ
 1111 W. 4th. St.
 MADERA, CA. 93637 (559) 673-3000
 SITE: 322 W. 6th Street

PLANS FOR:

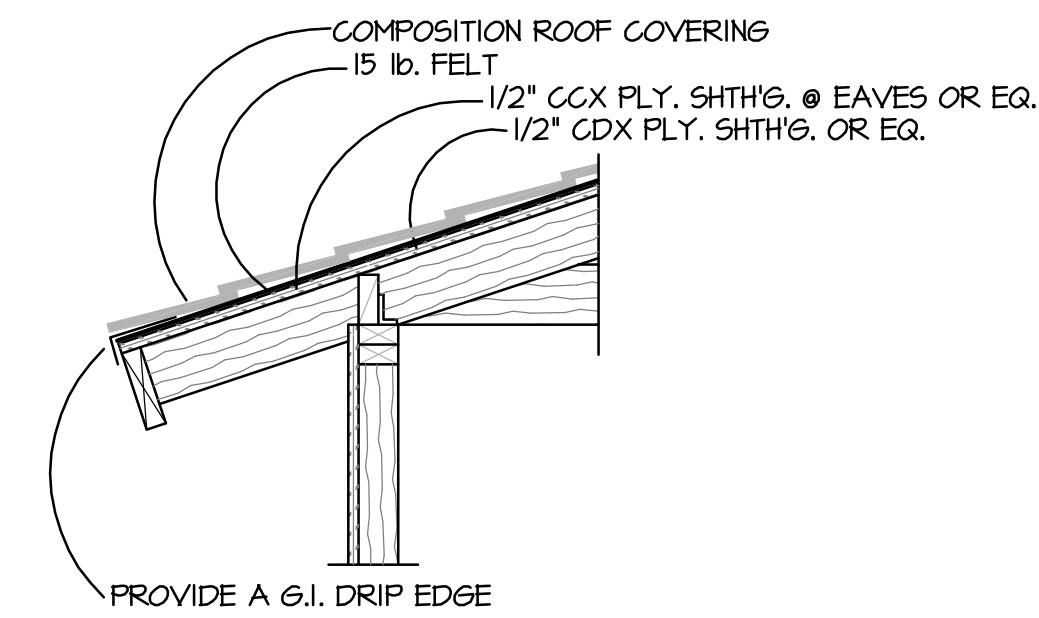
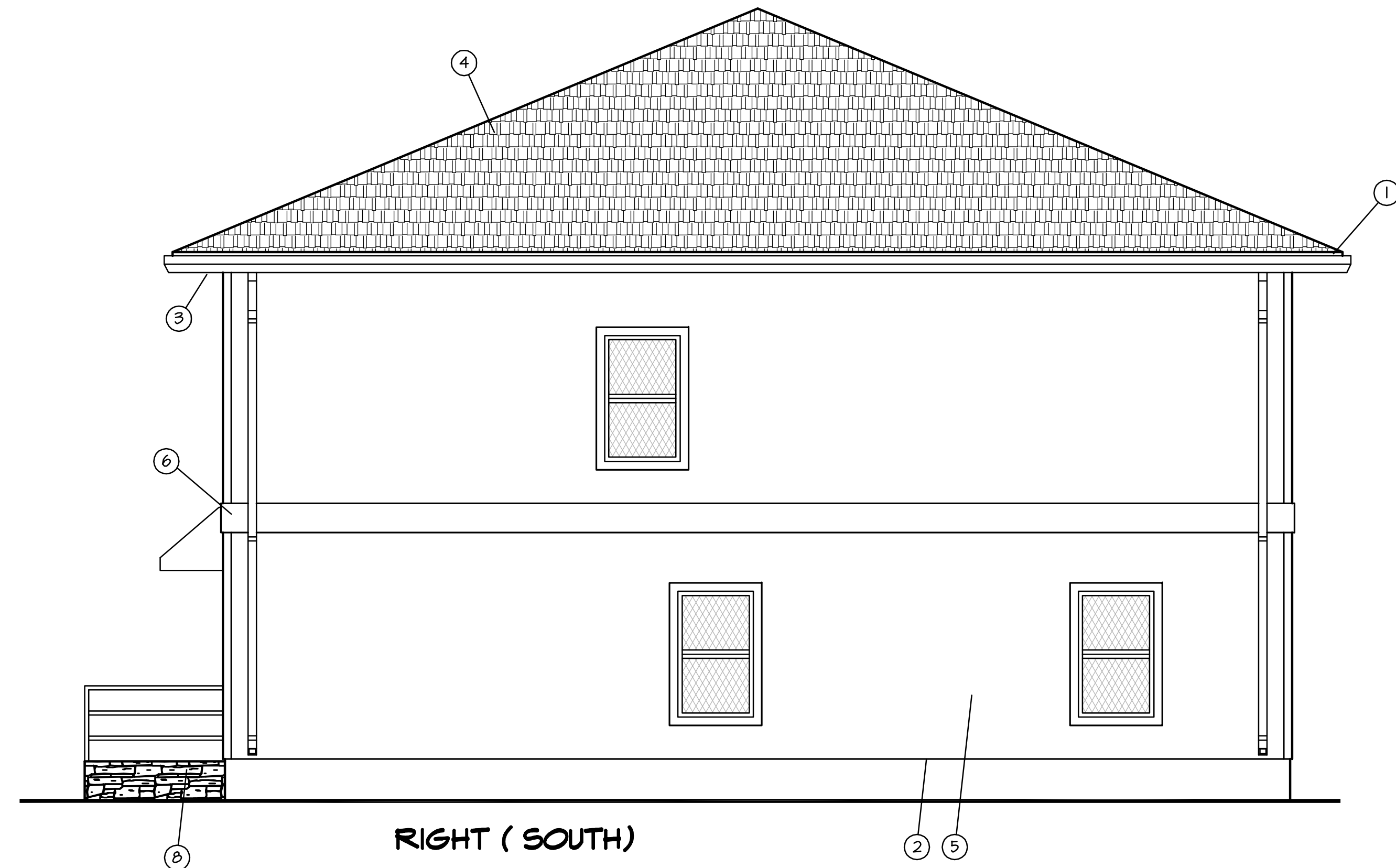
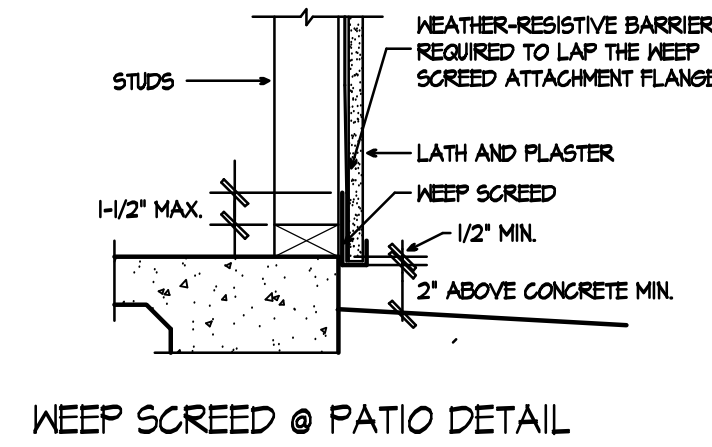
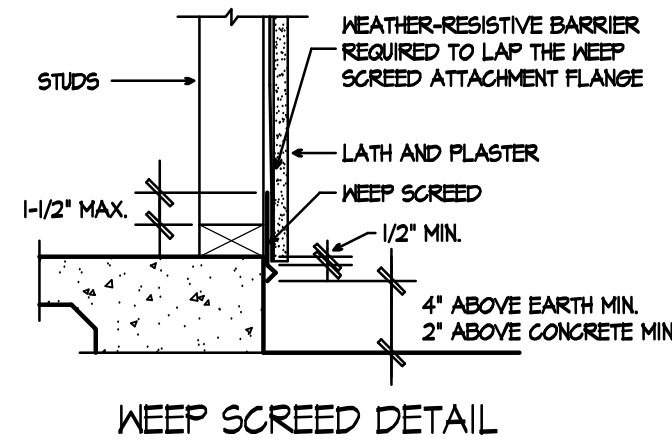
DRAWN BY
T. ARMENTROUT
CHECKED BY

DATE
9 / 2019
SCALE
1/4"=1'
JOB NO.
322 W. 6th. St.
SHEET

A.4
OF SHEETS

FINISH NOTES

1. Lath and plaster shall comply with Chapter 7, 2016 CRC. Install 7/8" 3-coat STUCCO with "X" lath backing (typical). ~~In one-coat systems, install 5/8" STUCCO over "X" lath backing over foam insulation board. Install STUCCO weep screeds not closer than 4" above earth nor 2" above paved surfaces.~~
2. Install gypsum (drywall) wallboard in accordance with Chapter 7, 2016 CRC. Nailing per Gyp. nailing sched., 2016 CRC. Wallboard surfaces to comply with Flamespread Class "C" rating. Unless otherwise specified in the plans, install 1/2" gypsum wallboard at all interior walls, 5/8" gypsum wall board on ceilings where joist spacing is 24" on center (or 1/2" where spacing is 16" on center), and 5/8" gypsum board Type "X" on common walls between Garage and Residence (remainder of ceilings and walls in Garages may be 1/2" with 5/8" Type "X" stopping at ceiling on common wall).



ELEVATION NOTES

1. 2x fascia with shingle molding (or) per owner spec's.
2. Provide a weep screed @ foundation plate on all ext. walls, per CRC w/2) layers, type 'D' paper.
3. Stucco all eaves and lids.
4. Composition roofing.
5. 1/8" stucco exterior (3 coat) per CRC.
6. Stucco molding.
7. Horiz. siding ov/appr. building paper @ areas shown.
8. Exterior veneer ov/ approved building paper, attach per CRC, see veneer detail @ this sheet.

Roof covering to conform to the standards of 2016 CRC, chapter 9.

Roof covering to be installed in accordance w/manuf. instructions & CRC chapter 9.

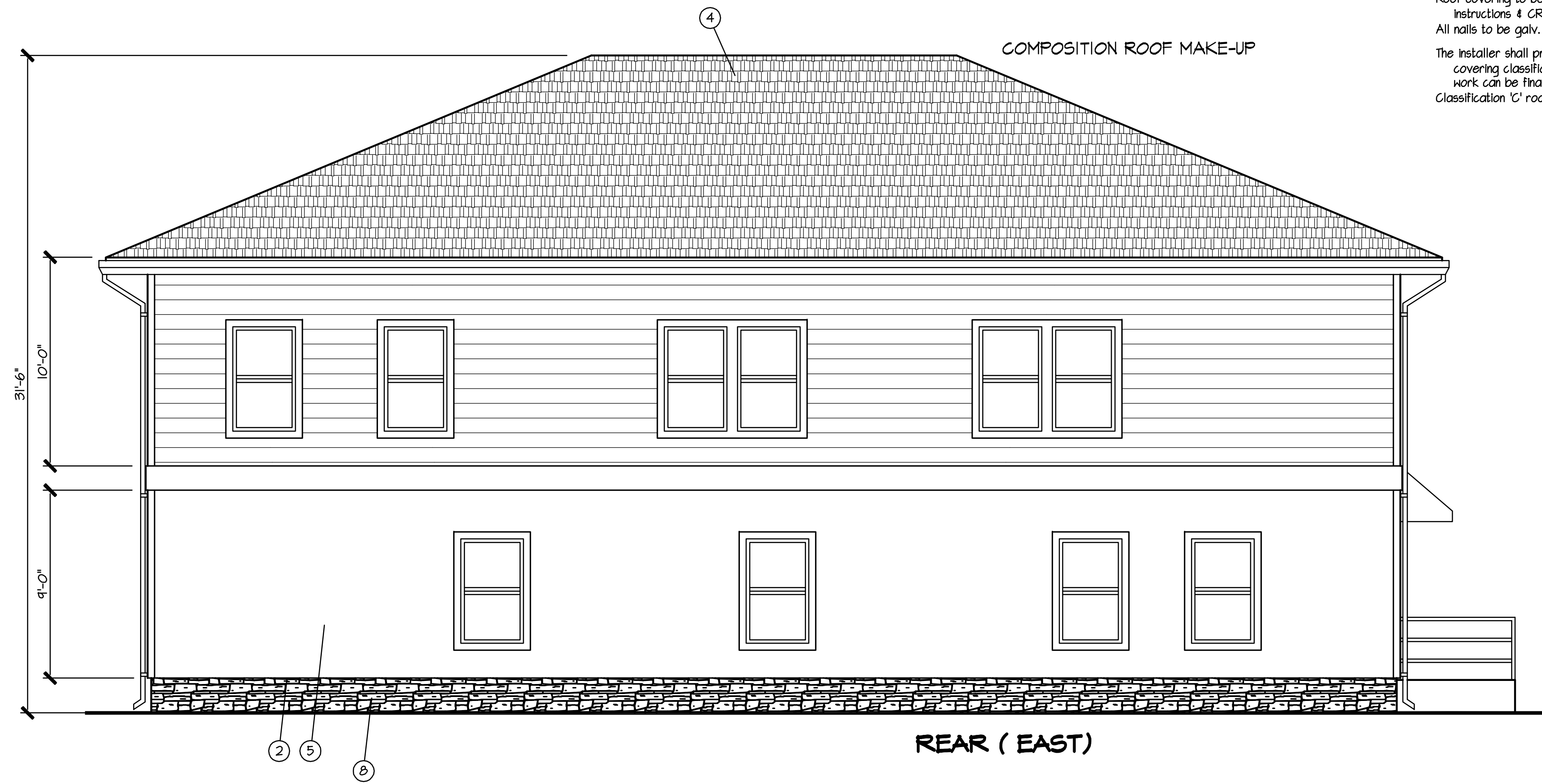
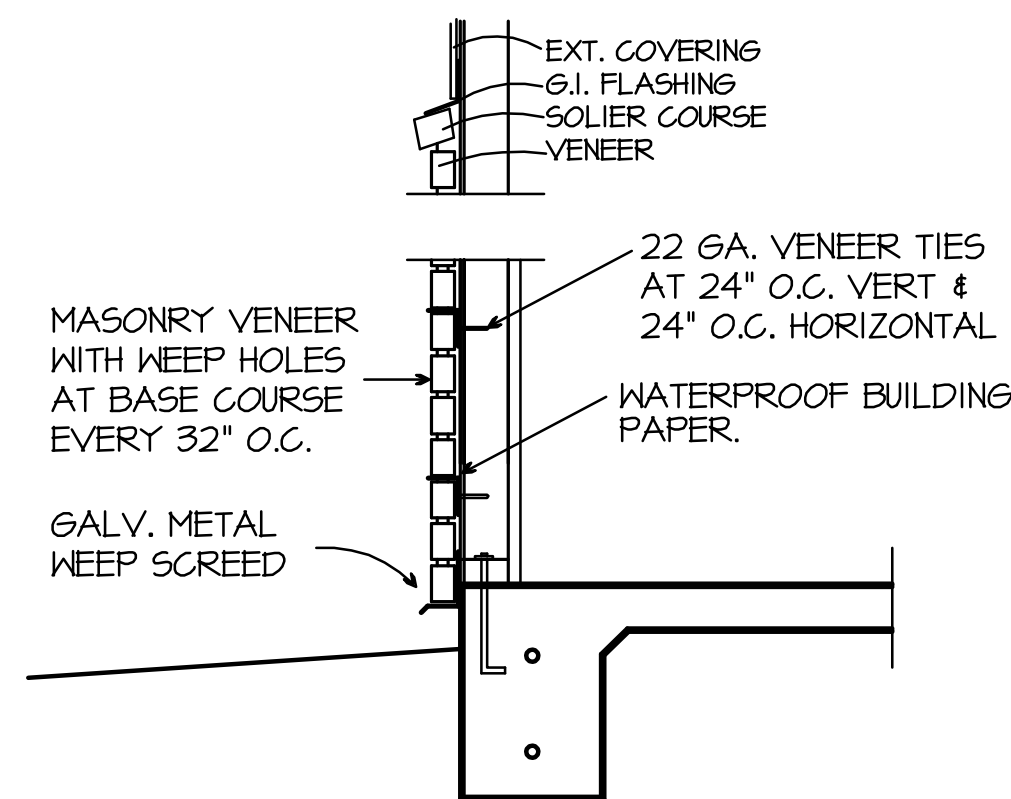
All nails to be galv. or copper coated.

The installer shall provide certification of the roof covering classification to building dept. before the work can be finalized. Classification 'C' roof material req'd. min.

ANCHORED STONE VENEER NOTES:

WITH STUD BACKING, A 2"x2" / 0.0625" CORROSION RESISTANT WIRE MESH W/ (2) LAYERS OF WATER RESISTIVE BARRIER, MIN. 15" THICK PER SECTION 1404.2 2007 CBC, SHALL BE APPLIED DIRECTLY TO WOOD STUDS SPACED A MAX. OF 16" o.c. ON STUDS, THE MESH SHALL BE ATTACHED W/ 2" LONG CORROSION RESISTANT STEEL WIRE FURRING NAILS @ 4" o.c. PROVIDING A MIN. 1.125" PENETRATION INTO EACH STUD & WITH 8d COMMON NAILS @ 8" o.c. INTO TOP & BOTTOM PLATES OR WITH EQUIVALENT WIRE TIES. THERE SHALL BE NOT LESS THAN A 0.1055" CORROSION RESISTANT WIRE, OR APPROVED EQUAL, LOOPED THROUGH THE MESH FOR EVERY 2 SQ. FT. OF STONE VENEER. THIS TIE SHALL BE A LOOP HAVING LEGS NOT LESS THAN 15" IN LENGTH, SO BENT THAT IT WILL LIE IN THE STONE VENEER MORTAR JOINT. THE LAST 2" OF EACH WIRE LEG SHALL HAVE A RIGHT-ANGLE BEND. ONE INCH MIN. THICKNESS OF CEMENT GROUT SHALL BE PLACED BETWEEN THE BACKING & THE STONE VENEER.

STONE VENEER ICC EVALUATION - ICC / ESR 1215
EL. DORADO STONE



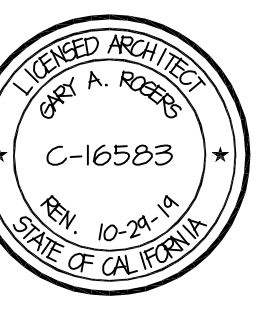
REAR (EAST)

**ELEVATIONS PLAN
WEST 6TH STREET APARTMENT COMPLEX**

Gary A. Rogers - Architect

1816 HOWARD ROAD - SUITE 8
MADERA, CALIFORNIA 93637
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OFFICE: (559) 674-6598

PLANNING • DESIGNING • CONSTRUCTION PROBLEM SOLVING



AFTAB NAZ

1111 W. 4th. St.
MADERA, CA. 93637 (559) 673-3000

SITE: 322 W. 6th Street

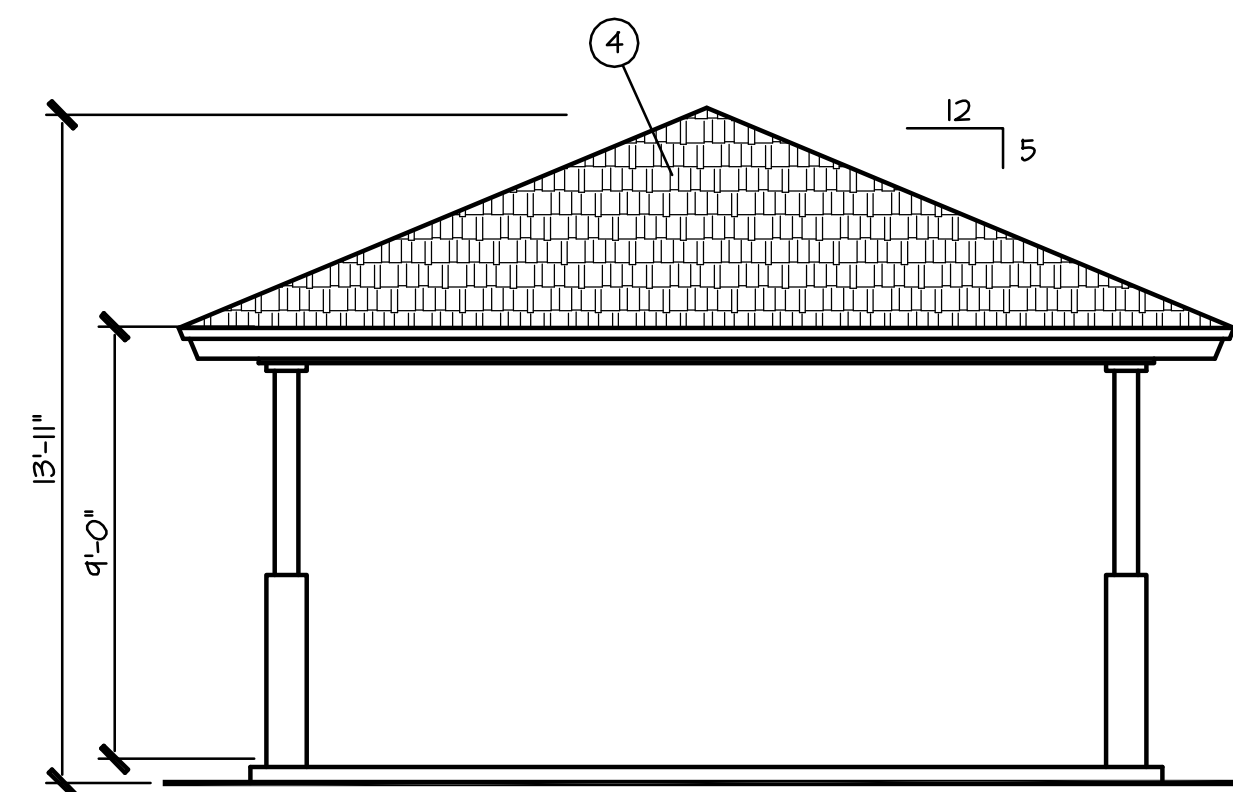
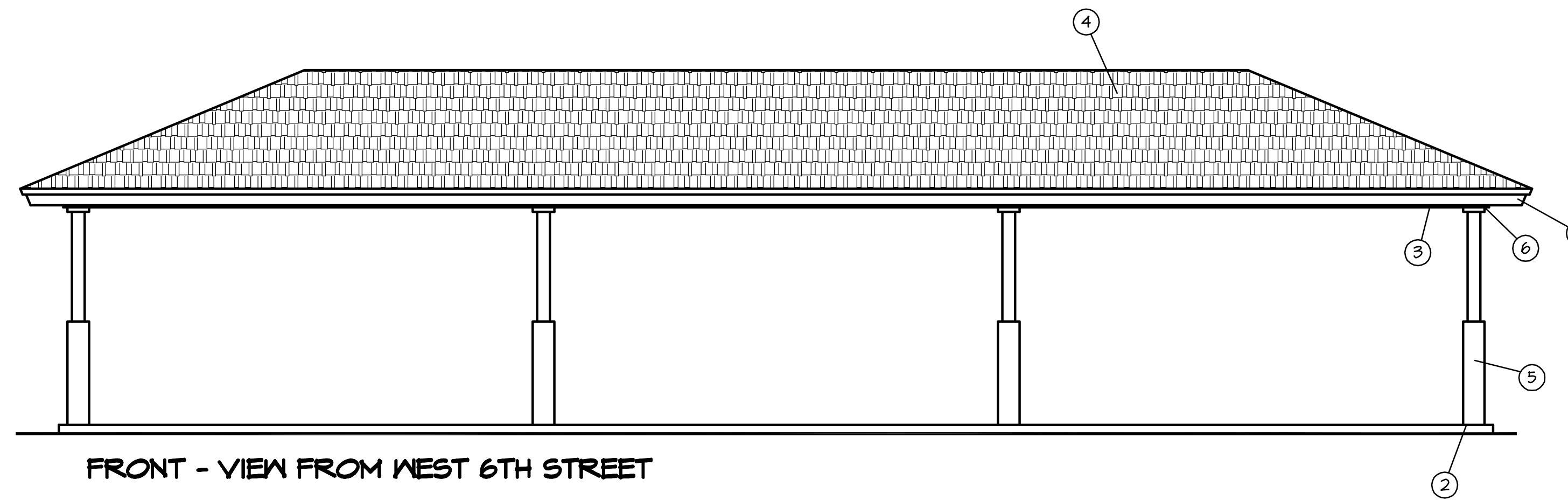
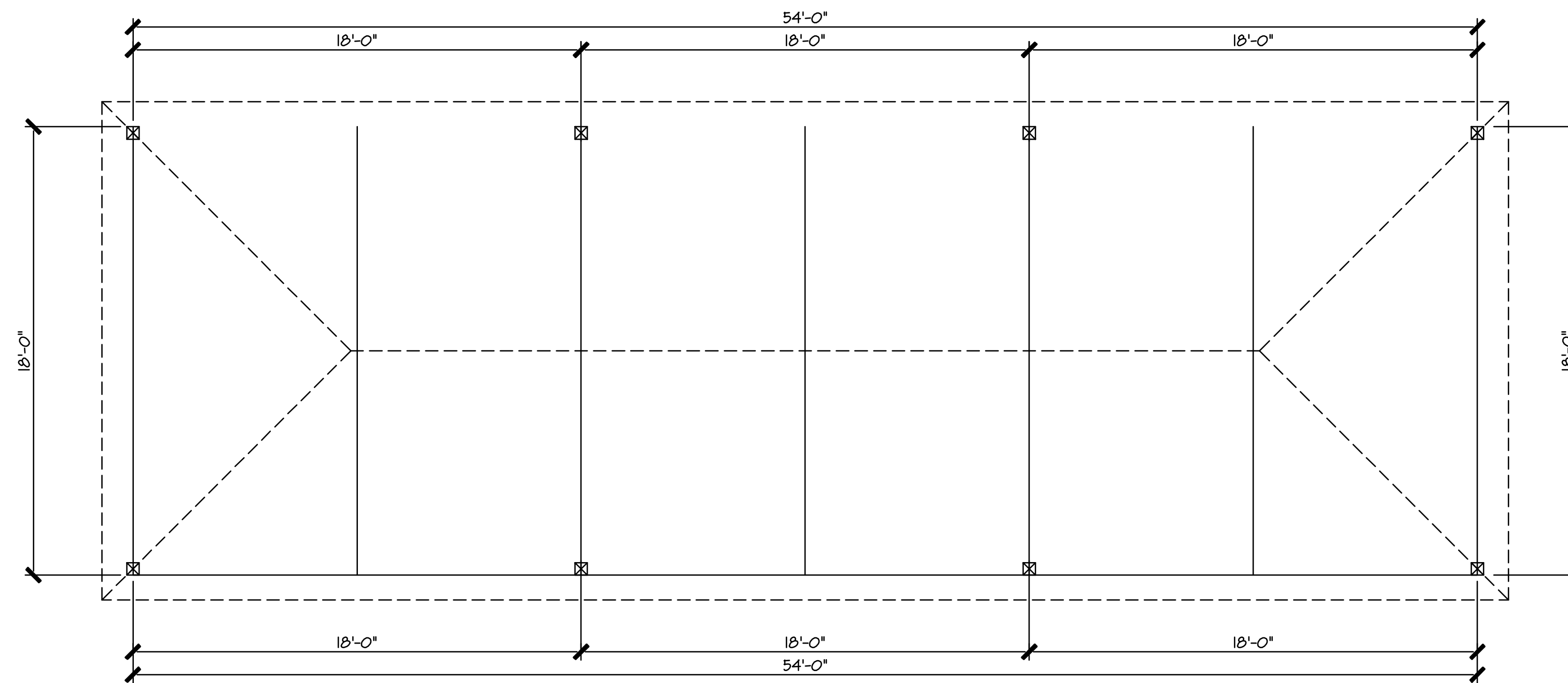
PLANS FOR:

DRAWN BY	T. ARMENTROUT
CHECKED BY	
DATE	10 / 2019
SCALE	1/4"=1'
JOB NO.	322 W. 6th. St.
SHEET	

A.5
OF SHEETS

BUILDING AREAS

CARPORT AREA: 412 5.F.



ELEVATION NOTES

1. 2x fascia with shingle molding (or) per owner spec's.
2. Provide a weep screed @ foundation plate on all ext. walls, per CRC w/ (2) layers, type 'D' paper.
3. Stucco all eaves and lids.
4. Composition roofing.
5. 7/8" stucco exterior (3 coat) per CRC.
6. Stucco molding.

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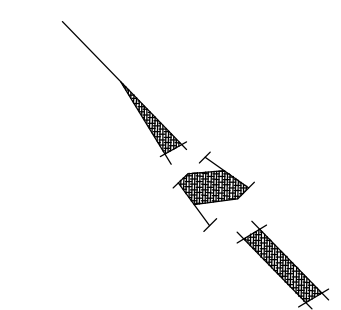


AFTAB NAZ
1111 W. 4th. St.
MADERA, CA. 93637 (559) 673-3000

SITE: 322 W. 6th Street

PLANS FOR:

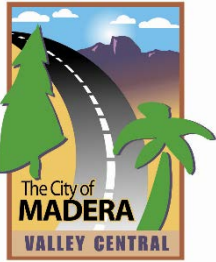
DRAWN BY
T. ARMENTROUT
CHECKED BY
DATE
9 / 2019
SCALE
1/4"=1'
JOB NO.
322 W. 6th. St.
SHEET



CARPORT PLAN
WEST 6TH STREET APARTMENT COMPLEX

A.6

OF SHEETS



CITY OF MADERA PLANNING COMMISSION

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

Staff Report: Loan's Massage CUP 2019-23, SPR 2019-27 & Categorical Exemption Item # 6 – November 12, 2019

PROPOSAL: Consideration of a request for a conditional use permit (CUP) and site plan review (SPR) to allow for the establishment of a massage parlor.

APPLICANT:	Loan Thi Kim Ambriz	OWNER:	Ramirez Family Prop LLC
ADDRESS:	1816 Howard Road, Suite #7	APN:	009-191-007
APPLICATION:	CUP 2019-23, SPR 2019-27	CEQA:	Categorical Exemption

LOCATION: The property is located on the south side of Howard Road, approximately 150 feet east of the southeast corner of the intersection of Howard Road and Dwyer Street, to the rear of the Courtyard Business Professional Center.

STREET ACCESS: The project site has access to Howard Road and Dwyer Street

PARCEL SIZE: One parcel encompassing approximately 1 acre.

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C1 (Light Commercial)

SITE CHARACTERISTICS: The project site is located within an existing tenant suite in a fully developed commercial center commonly known as "The Courtyard." There is commercial development in every direction along the Howard Road commercial corridor. The Summerwoods multifamily residential complex is located south of the project site.

ENVIRONMENTAL REVIEW: The proposed massage business is categorically exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA).

SUMMARY: The applicant is proposing to establish a massage parlor in a vacant suite within the Courtyard business center. When comparing massage parlors in other cities, a massage parlor is a consistent use within commercial zone districts. It has been staff's observation that therapy/massage businesses approved by the Commission in the past have by and large operated in harmony with surrounding businesses. There is no reason to disallow the use permit request subject to the applicant being able to operate consistent with the conditions of approval.

APPLICABLE CODES AND PROCEDURES

MMC§ 10-3.802(A)(43), C1 (Light Commercial) Zones, Uses Permitted

MMC §10-3.802(C)(20) C1 (Light Commercial) Zones, Uses Permitted

MMC §10-3.1202 Parking Regulations

MMC §10-3.1301 Use Permits

Under consideration is a request to allow for a “Therapeutic Massage” or “Massage Parlor” use in the C1 (Light Commercial) Zone District. In the past, when reviewing the Zoning Ordinance for direction in permitting a massage therapy use, a determination of use (DOU) was required. The ordinance states that whenever the use schedule of the Zoning Ordinance does not provide either an exact identification within the schedule for a proposed use as a permitted or a similar identification sufficient to allow for a proposed use based on close similarities and/or compatibility with uses that are specifically identified within the schedule, a determination may be made by the Planning Commission (Commission) as to the suitability of the use in a proposed location. Two ready examples where the Commission made a determination of use for a massage therapy business were in the Madera Marketplace (2009) and 47th Place West shopping centers (2010).

It was at that time that staff began to favor the use permit process over the determination of use, identifying the findings for the determination of use to be essentially identical to those required when granting a conditional use permit. The determination of use findings are as follows:

- 1.) that the use is “similar in character” to the surrounding commercial services, and
- 2.) that the use is “not more detrimental to the welfare of the neighborhood” in which it is located.

As a comparison, the City’s Zoning Ordinance allows for the granting of a use permit by the 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.”

In the C1 (Light Commercial) Zone District, the Zoning Ordinance allows the Commission to permit “other uses which, in the opinion of the Commission, are of a similar nature,” subject to the approval of a conditional use permit. Today, staff utilizes the CUP process when considering a massage therapy use in the C1 Zone District. Examples of that process were Harmony Massage and Koinonia Spa (2016), and most recently Wellness Massage at North Pointe Shopping Center. The DOU process has been discontinued as a pathway of approval for massage parlor uses.

If the Commission cannot make the appropriate findings, the use permit 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.

PRIOR ACTION

Records identify Dean Tire Center as being one of the original tenants on the site during the early 1980s. The site was eventually converted into the present office complex layout in the early most. The most recent of the various entitlements approved on the site are CUP 2012-16 and SPR 2012-14 which allowed for the establishment of an outdoor barbeque area and the sale of beer and wine for on-site consumption, approved by the Commission on December 11, 2012. There are no known entitlements associated with the project suite.

ANALYSIS

Massage Uses

Whether deserving or not, a stigma has been attached to the massage therapy business use for some time. Because of past occurrences associated with the use, current massage professionals are typically required to secure discretionary permits from local government and professional licensure from the state. As an aid, staff completed a survey of five other valley communities to see how other municipalities addressed a “Therapeutic Massage” or “Massage Parlor” with their zoning matrices. Though requirements within each municipality are updated from time-to-time, the initial survey was as follows:

Hanford requires a CUP within the Downtown Commercial Zone when proposed as a stand-alone use. Massage parlors are allowed by right as a permitted use. Only 25% of the floor area of a permitted use may be dedicated to massage. Currently, there are no approved stand-alone massage parlors. There are several businesses where massage is allowed as a component of the business, usually as part of a beauty parlor business.

Clovis’ Zoning Ordinance defines massage within the health studio call out. A health studio is every as “a retail business offering some or all of the following services: skin and body therapy (body massage, body care treatments), skincare (clinical and spa facials), or body health regimens (exercise activities and/or exercise equipment)”. Health studios are allowed by right in the C-2 (Community Commercial) and C-3 (Central Trading District) Zone District.

Chowchilla’s Zoning Ordinance makes no call out for massage parlors or similar businesses but instead allows for “any other retail business or service establishment determined by the commission after a public hearing to be consistent with the purpose of this section and which will not impair the present or potential use of adjacent properties”.

Merced’s Zoning Ordinance identifies “Beauty salons, barbershops, licensed massage establishments, tanning salons, and nail salons” within the zoning matrix. The use is permitted by right in the C-O (Commercial Office), C-C (Central Business District) and the C-N (Neighborhood Commercial) Zone Districts. The use requires a CUP in the C-T (Commercial Thoroughfare) and C-G (Heavy Commercial) Zone Districts.

Modesto’s Zoning Ordinance includes massage parlors as part of the “massage and bath service, massage school, hot tub rental” call out. Such businesses are allowed in the C-2 (General

Commercial) and C-3 (Highway Commercial) Zone Districts with a CUP and are permitted by right in the C-M (Commercial Industrial) Zone District.

Thus, cities throughout the central valley have utilized various approaches when placing a massage business into the zoning matrix use schedule.

Operations

The applicant is proposing to establish Loan’s Massage within a suite in The Courtyard commercial business park. The Courtyard includes mixed business professional office uses and Players Smoked BBQ restaurant.

The applicant is proposing massage services that will vary from full and partial body massages, not to exceed an hour per service. The applicant envisions between five and ten clients per day. The operational statement with complete details is included as Attachment 2. Noting that the use is not likely to generate excessive foot traffic or be a visual nuisance to the surrounding uses, there is no compelling reason to disallow the use in the proposed location. It would appear to be a very compatible use with the surrounding office uses and the Howard Road commercial corridor. The other massage therapy businesses approved by the Commission in the past have by and large operated in harmony with surrounding businesses within the general commercial areas of the communities.

Parking

The Courtyard business center has 49 parking stalls serving approximately 12,700 square feet of floor area. Uses typical in retail commercial developments require one parking stall per every 300 square feet of floor area. Based on the calculations, the approximate 12,700 square foot area requires that the business center provide 43 parking stalls. The site’s parking requirements have been calculated and appropriated as followed:

<u>Suite No.</u>	<u>Business Use</u>	<u>Parking Ratio Requirement</u>	<u>Total # of Units</u>	<u># of Parking Stalls Required</u>
Suite 1	Office	1 space per 300 sf	2,215 sf	8 stalls
Suite 2	Office	1 space per 300 sf	800 sf	3 stalls
Suite 3	Office	1 space per 300 sf	936 sf	3 stalls
Suite 4	Office	1 space per 300 sf	1,100 sf	4 stalls
Suite 5	Restaurant	1 space per 3 seats	42 seats	14 stalls
Suite 6	Office	1 space per 300 sf	1,170 sf	4 stalls
Suite 7	Massage Parlor	1 space per 300 sf	900 sf	3 stalls
Suite 8	Office	1 space per 300 sf	2,036 sf	7 stalls
Total No. of Provided/Required Parking Stalls per MMC			49 stalls	49 stalls
Total No. of Provided/Required ADA Parking Stalls:			4 stalls	3 stalls

The business center has sufficient parking stalls to serve all tenants within the project site, including the parking demands of the massage parlor.

Other Department and Agency Comments

The proposed use permit and site plan review were 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 massage parlor 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 CUP 2019-23 and SPR 2019-27 request. It is recommended that the Commission consider the information in this report, as well as testimony in the public hearing, and make a decision on the CUP and SPR request.

PLANNING COMMISSION ACTION

The Commission will be acting on CUP 2019-23 and SPR 2019-27 and determine 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 appeal to the City Council within fifteen (15) calendar days of the Planning Commission’s action.

Motion 1: Move to approve CUP 2019-23 and SPR 2019-27, subject to the findings and conditions of approval as listed:

Findings

- This project is categorically exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) since there will be a negligible expansion of the existing use of the structure.
- A massage parlor business is consistent with the purposes of the C (Commercial) General Plan land use designation and the C1 Zone District which provide for the use subject to the approval of a conditional use permit.

- 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 CUP 2019-23 within one year following the date of this approval shall render the conditional use permit null and void unless a written request for an extension has been submitted to and approved by the (Commission).
3. CUP 2019-23 may be made null and void without any additional public notice or hearing at any time upon both the benefactors of the use permit and the owner(s) of the property voluntarily submitting to the City a written request to permanently extinguish the conditional use permit.
4. CUP 2019-23 and SPR 2019-27 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 of approval, staff may schedule a public hearing before the Commission within 45 days of the violation to consider revocation of the permit.
5. SPR 2019-27 shall expire one year from date of issuance unless positive action is taken on the project as provided in the Madera Municipal Code (MMC) or required action is taken to extend the approval prior to the expiration date (MMC Section 10-3.4.0114, Lapse of Site Plan Approval).
6. 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.
7. It shall be the responsibility of the property owner and management to ensure that any required permits, inspections and approvals from any regulatory agency shall be obtained from the concerned agency prior to the establishment of the use.

Building Department

8. A building permit is required for all improvements. The tenant space must meet the requirements of the California Building Code, California Fire Code, and Americans with Disabilities Act prior to occupancy.
9. Current State of California and federal handicap requirements shall apply to the entire site and all structures and parking thereon. Compliance shall be checked at the permit stage and shall be confirmed at final inspection.

Engineering Department

General

10. Nuisance on-site lighting shall be redirected as requested by the City Engineer within 48 hours of notification.
11. The developer and/or applicant shall pay all required fees for completion of the project. Fees due may include but shall not be limited to the following: encroachment permit from the Engineering Department.
12. Improvements within the City right-of-way require an encroachment permit from the Engineering Department.

Water

13. Existing water service connection shall be upgraded to include an Automatic Meter Reader water meter per current City standards.

Sewer

14. Existing sewer service connection shall be upgraded to include a cleanout per current City standards.

Fire Department

15. One, 2A10BC rated fire extinguisher is required for every 3,000 square feet of floor area.
16. A new key is required for the existing key box if the locks are re-keyed.
17. Egress door hardware shall comply with the California Building Code, Chapter 10.

Planning Department

General

18. The applicant shall operate in a manner that does not generate significant noise, odor or vibration that adversely affects any adjacent properties.
19. On-site vandalism and graffiti shall be corrected per the Madera Municipal Code.

20. The property owner, manager and the applicant shall keep the property clear of all trash, rubbish and debris at all times; dumping of refuse shall be restricted to the dumpster/refuse containers belonging to the subject property.
21. The applicant shall comply with all federal, state and local laws. Material violations of any applicable laws concerning the use will be cause for revocation of this permit.

Massage Business

22. CUP 2019-23 allows for the establishment of a massage -parlor business within the existing tenant suite at 1816 Howard Road, Suite No. 7.
23. The massage business shall operate consistent with the approved operational statement. Any significant alterations and/or expansions of the use may require amendment of CUP 2019-23.
24. The hours of operation shall occur as early as 8:00 a.m. until as late as 10:00 p.m., seven (7) days a week.

Landscaping

25. The property owner and/or manager shall maintain all landscaping in a healthy and well-manicured appearance. This includes but is 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

26. All signage shall be in compliance with the Sign Regulations of the City of Madera.

(OR)

Motion 2: Move to continue the public hearing on CUP 2019-23 and SPR 2019-27 to the December 10, 2019 Commission hearing, for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for CUP 2019-23 and SPR 2019-27, based on the following findings: (specify)

ATTACHMENTS

Attachment 1: Aerial Map

Attachment 2: Operational Statement

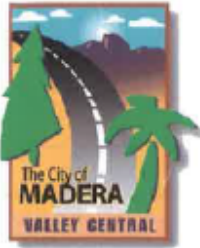
Attachment 3: Floor Plan

Attachment 2: Massage Equipment

Attachment 1: Aerial Map



Attachment 2: Operational Statement



**PLANNING DEPARTMENT
OPERATIONAL STATEMENT CHECKLIST**

It is important that the operational statement provides for a complete understanding of your proposal. The statements that you submit **must address all** of the following **that apply** to your proposal.

Your operational statement **must be** typed or written in a **legible** manner in the spaces provided. Answer all statements that apply to your business. **Those that do not apply, enter "N/A"**. Use additional sheets if necessary.

Loan's Massage Business Name 1816 Howard Road, Madera, CA. 93637 Business Address
Suite # 7

APN: _____ **(For your APN, Please call the Madera County Assessor's Office at (559) 675-7710.)

1. Nature of the operation – What do you propose to do? **PLEASE DESCRIBE IN DETAIL**

Service 1: 1 Hour Massage Full body includes back, shoulder, neck, arms, head, lower legs to middle of thigh. The masseuse will use oil, lotions by customers choice.
Service 2: Time determined Chair massage by customer request. The masseuse will focus on shoulders and neck. By request, will massage the back and head. Clothes will remain on during chair massages.

2. What products will be produced by the operation? Relaxation.

3. What is the existing use of your property? Office in retail

4. What are the surrounding land uses on the North, South, East and West? South Apts
West office, East Retail, North Retail

5. List the hours of operation: From 10am - 9pm Number of Days per Week: 7

If Seasonal, list the months of operation: N/A

6. Number of Customers or Visitors per day: 5 Maximum per Day: 10

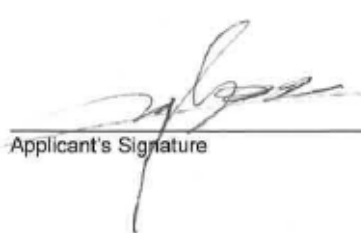
During what hours will customers visit your property? 10am - 8pm

7. Number of current employees (including self): 3 Future employees (not counting current): 2

Will any live on site (including self)? YES [] NO [X]

Attachment 2: Operational Statement Cont.

8. Are any goods to be sold on site? YES [] NO [X]
If yes, are these goods grown or produced on site or at some other location? N/A
Describe products being offered for sale: N/A
9. Number and type of service or delivery vehicles: 1 (Home Service Massage)
10. What equipment is used? If appropriate, provide pictures or a brochure. Towel Warmer.
Table Massage, Chair Massage. delivered in 2016 Ford Focus.
11. Will the operation or equipment used generate noise above existing levels in the area? YES [] NO [X]
If yes, explain _____
12. Describe the supplies or materials used and how they will be stored: bed sheet, large/medium/
Small towels, stored in cabinet. Oily lotion stored in cabinet specifically
for them. Hot stones, wash cloth stored in the towel warmer.
13. Will hazardous materials or waste be produced as part of this business? YES [] NO [X]
If yes, explain _____
14. Will the existing buildings be used or will a new building be constructed? _____
The existing buildings will be used.
15. Explain which building(s) or what portion of the building(s) will be used in your operation: _____
Table Massage 1, Table Massage 2, Couples table Massage, and
Chair Massage will be used in the massage operation area.
16. Please include any other information that will provide a clear understanding of your business or operation:
N/A


Applicant's Signature

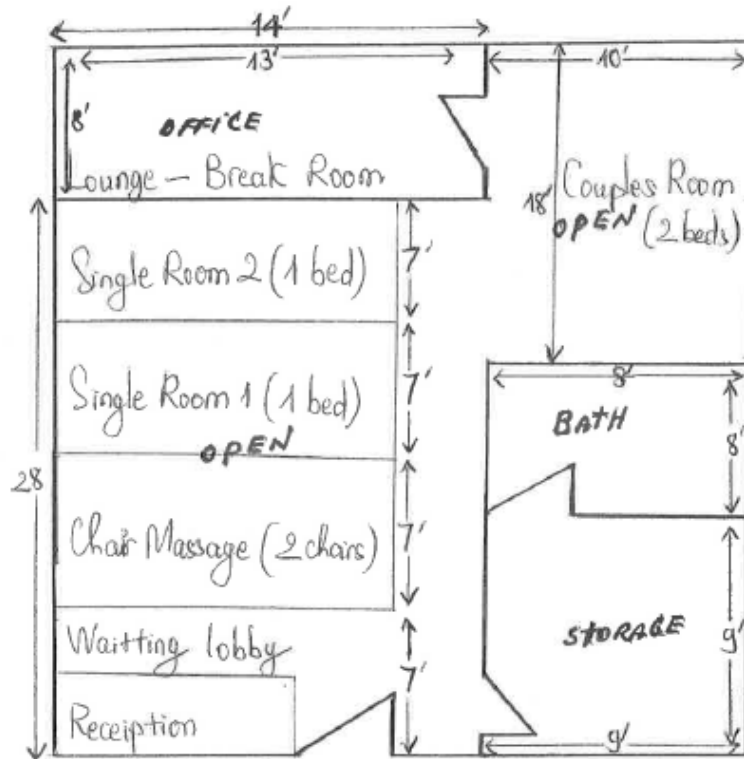
Date 10-1-19

Attachment 3: Floor Plan

EXHIBIT A

SUITE # 7

GROSS AREA: 900 SQFT.
NET AREA: 851 SQFT.



THE COURTYARD PROFESSIONAL BUSINESS CENTER
1816 HOWARD ROAD, MADERA, CA. 93637
SUITE # 7

Attachment 4: Massage Equipment

EQUIPMENT

MASSAGE TABLE



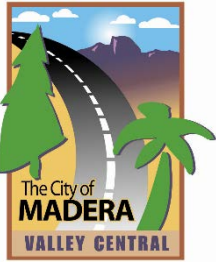
CHAIR MASSAGE



TOWEL WARMER



1



CITY OF MADERA PLANNING COMMISSION

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

Staff Report: 610 North E Street Automotive Uses CUP 2019-11, SPR 2019-18 & Categorical Exemption Item # 7 – November 12, 2019

PROPOSAL: Consideration of a request for a conditional use permit and site plan review to allow for various automotive uses within specific tenant suites of an existing building in a C2 (Heavy Commercial) Zone District.

APPLICANT:	610 N. E St. Madera Investors, L.P.	OWNER:	610 N. E St. Madera Investors, L.P.
ADDRESS:	610 North E Street	APN:	007-042-001
APPLICATION:	CUP 2019-11 & SPR 2019-18	CEQA:	Categorical Exemption

LOCATION: The project is located on the southwest corner of the intersection of East Central Avenue and North E Street.

STREET ACCESS: The property has access to North E Street.

PARCEL SIZE: Approximately 0.60 acres.

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C2 (Heavy Commercial)

SITE CHARACTERISTICS: The project site is surrounded by low-density residential homes to the east, heavy commercial uses to the south and north, and the railroad to the west.

ENVIRONMENTAL REVIEW: This project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).

SUMMARY: The applicant is proposing to remedy prior issues with the property including off-site and ADA improvements that were never completed as a component of previous use permit approvals. The project site has primarily served automobile repair uses in the past. A conditional use permit to allow for various automotive repair uses in all tenant suites on the project site is more logical than requiring a new use permit for each future individual automotive repair business that would ultimately entail similar conditions of approval. A blank use permit will eliminate redundancy. Parking requirements are exempt because the building was constructed prior to August 1, 1987, consistent with Section 10-3.1205 of the Madera Municipal Code (MMC). All heavier and general automotive repair uses will be available to be located within the larger tenant suites while only general automotive repair uses will be available in the smaller tenant suites.

APPLICABLE CODES AND PROCEDURES

MMC §10-3.902 Heavy Commercial Zones – Uses Permitted

MMC §10-3.4.0101 Site Plan Review

MMC §10-3.1205 Parking Exemptions

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

In 2005, a site plan review was approved to allow for the existing building to be used for low hazard materials storage. Conditions of approval for the low hazard materials storage use could not be satisfied. The owners then received approval of a conditional use permit to allow for an automotive repair business in 2008. Conditions of approval for this use permit also could not be satisfied, and the use permit was consequently revoked in 2009. The building was vacant for some time until a conditional use permit was approved in 2014 for another automotive repair business with new conditions of approval. The use permit is active, and the automotive repair business is currently in operation in non-compliance with the conditions of approval.

ANALYSIS

Background

The project site has a history of non-compliance with conditions of approval, specifically off-site and ADA improvement requirements. The most recently approved use permit from 2014 has conditions of approval that still have not been satisfied to date. Staff has been in contact with different property managers over the previous five years to work towards completing all of the required off-site improvements. Recently, a prospective business owner was interested in utilizing one of the existing tenant suites to operate a smog shop excluding automotive repair. In order to allow for any intensification on the site or any new business, the conditions of approval for the existing automotive repair business shall be satisfied.

The property was recently purchased by a new owner that wishes to correct the issues of the property. Staff has been in communication with the project architect and engineer to provide a site plan design that will satisfy the previous requirements and any new requirements from local, state and federal codes. Additionally, because the property is in the C2 (Heavy Commercial) Zone District, any automotive uses will

require approval of a conditional use permit. This conditional use permit will allow for various automotive uses to operate within the tenant suites of the building.

Automotive Uses

The majority of uses over the project site's history have been automotive uses. The purpose of this use permit is to allow for a variety of automotive uses without having to require additional use permits for a similar or identical use in another tenant suite of the same building. There are currently five remaining vacant tenant suites, but in case the existing tenant suites become vacant in the future, the allowance of specified automotive repair uses should be conditioned for each tenant suite.

The overnight storage of vehicles in conjunction with any automotive repair uses is recommended to only be allowed within the interior of the tenant suites. Because smaller tenant suites would not be able to store more than one vehicle at a time, heavier automotive repair uses should only be allowed to be in the larger tenant suites. Conditions of approval will specify types of automotive repair uses allowed for each suite.

Parking

Section 10-3.1205 of the Madera Municipal Code (MMC) allows for an exemption to parking standards for off-street parking spaces if the building is in existence on or before August 1, 1978. The construction of the building on the project site occurred in 1944. Because the building was constructed prior to August 1, 1978, the parking standards are exempt. That said, there are two areas for parking on the site to the north and south of the building. The northern parking field has been updated as a component of the use permit from 2014. The southern parking field needs to be rehabilitated to include a slurry seal and restripe. Staff recommends the alteration to the parking field, as indicated in the proposed site plan (see Attachment 2).

Landscaping

The approved use permit from 2014 had a condition of approval requiring installation of landscaping and irrigation consistent with an approved landscape and irrigation plan. Although staff received a landscape and irrigation plan that was subsequently approved, landscaping and irrigation was never installed. The applicant is working on providing staff a new landscape and irrigation plan consistent with the State's Model Water Efficient Landscape Ordinance (MWELO).

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 various automotive repair uses 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 use permit and 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 2019-11 and SPR 2019-18, subject to the findings and conditions of approval.

PLANNING COMMISSION ACTION

The Commission will be acting on CUP 2019-11 and SPR 2019-18 and determine to either:

- Approve the applications with or without the conditions,
- Continue the hearing, or
- Deny the applications

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

Motion 1: Move to approve CUP 2019-11 and SPR 2019-18, subject to the findings and conditions of approval as listed:

Findings

- This project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).
- Various automobile repair uses are consistent with the purposes of the C (Commercial) General Plan land use designation and the C2 (Heavy Commercial) Zone District, subject to the issuance of a conditional use permit
- As conditioned, rehabilitation 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 conditions of approval for CUP 2014-01 and SPR 2014-01 shall be replaced and superseded in their entirety by the following conditions of approval for CUP 2019-11.

3. The applicant's failure to utilize CUP 2019-11 within one year following the date of this approval shall render CUP 2019-11 null and void unless a written request for extension has been submitted to and approved by the Planning Commission.
4. CUP 2019-11 may be made null and void without any additional public notice or hearing at any time upon both the benefactors of CUP 2019-11 and owners of the property voluntarily submitting to the City a written request to permanently extinguish CUP 2019-11.
5. SPR 2019-18 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).
6. CUP 2019-11 and SPR 2019-18 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.
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. All on- and off-site improvements shall be completed prior to issuance of final occupancy.

Building Department

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. 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.
13. Improvement plans signed and sealed by an engineer shall be submitted to the Engineering Division in accordance with the submittal process.
14. Improvements within the City right-of-way require an encroachment permit from the Engineering Division.
15. All off-site improvements shall be completed prior to issuance of final occupancy.

Sewer

16. New or existing sewer service connection(s) shall be constructed or upgraded to current City standards.
17. Existing sewer service connections that will not be used for the project shall be abandoned at the mains per current City of Madera standards.
18. Sewer main connections six inches and larger in diameter shall require manhole installation.

Streets

19. The developer shall repair or replace all broken or damaged concrete improvements including curb, gutter, and sidewalk to current City of Madera and ADA standards.
20. The existing ADA access ramp on the southwest corner of Central Avenue and North E Street shall be removed and reconstructed to meet current City and ADA standards.
21. Sufficient right-of-way shall be dedicated at the southwest corner of Central Avenue and North E Street to accommodate the ADA access ramp.
22. The existing sidewalk on Central Avenue along the entire project parcel frontage shall be removed and replaced to meet current City and ADA standards.
23. The developer shall remove and replace the existing sidewalk, as necessary, along the entire project parcel frontage on North E Street to meet current City and ADA standards and improve with landscaping.
24. The existing driveway located on Central Avenue shall be removed and replaced with curb and gutter per City standards.
25. The existing access ramps to the building along the project parcel frontage on North E Street shall be removed and reconstructed to meet current ADA standards.
26. The developer shall annex into and execute such required documents that may be required to participate in Landscape Maintenance District Zone 51 for the purposes of participating in the cost of maintaining landscape improvements within said zone.

Water

27. Existing or new water service connection(s), including landscaped areas, shall be upgraded or constructed to current City standards including an Automatic Meter Reading (AMR) water meter installed within the City right-of-way and a backflow prevention device installed within private property.
28. A separate water meter and backflow prevention device shall be required for landscape area.
29. Existing water service connections that will not be used for the project shall be abandoned at the mains per City of Madera standards.

Fire Department

30. One 2A10BC-rated fire extinguisher shall be required to be located in the interior of the mobile food truck.
31. A key box shall be required.

Planning Department

General

32. On-site vandalism and graffiti shall be corrected per the MMC.
33. 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 belonging to the subject property.
34. 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.
35. 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 the use permit.

Automotive Uses

36. The following automotive repair uses shall be allowed for the larger tenant suites including Suite Nos. 100, 102, 106, 108 and 112:
 - Car Emission and Smog Testing
 - Damaged Vehicle Parts Repair and Replacement
 - Diagnostic Scanning
 - Front Body Repair and Replacement: Upper/Lower Control Arms, Rack and Pinion
 - General Repair and Maintenance: Oil, Lube and Filters, Tune-Ups
 - Glass Repair
 - Heating and Cooling
 - Heavy Engine and Transmission Services
 - Major and Minor Mechanical/Electrical Repairs
 - Muffler and Exhaust Repairs
 - Paint and Dent Repair
 - Rear Body Repair and Replacement: Bearings, Differential
 - Steering and Suspension
 - Straightening and Body Work
 - Tire and Wheel Services
 - Undercar Service Maintenance: Brakes, Anti-Lock Brakes
 - Welding of Replacement Vehicle Parts
 - Window Tinting
37. The following automotive repair uses shall be allowed for the smaller tenant suites including Suite Nos. 104 and 110:
 - Car Emission and Smog Testing
 - Diagnostic Scanning
 - General Repair and Replacement: Oil, Lube and Filters, Tune-Ups

- Glass Repair
- Heating and Cooling
- Minor Mechanical/Electrical Repairs
- Muffler and Exhaust Repairs
- Undercar Service Maintenance: Brakes, Anti-Lock Brakes
- Welding of Replacement Vehicle Parts

38. There shall be no allowance for an automotive detail use, including hand and machine wash, in any tenant suite. There shall be no allowance of the installation of a floor drain or well in any tenant suite.
39. All overnight storage of vehicles in conjunction with any automotive use shall only be on the interior of the tenant suite. There shall be no allowance of the overnight storage of vehicles in either of the two parking fields or in the City's right-of-way.

Landscaping

40. 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

41. Parking stalls shall be developed in close conformance with the approved site plan drawings.
42. 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 width shall be 26 feet.
43. 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

44. All signage shall be in compliance with the Sign Regulations of the City of Madera.

(OR)

Motion 2: Move to continue the public hearing on CUP 2019-11 and SPR 2019-18 to the December 10, 2019 Commission hearing, for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for CUP 2019-11 and SPR 2019-18, based on the following findings: (specify)

ATTACHMENTS

Attachment 1: Aerial Map

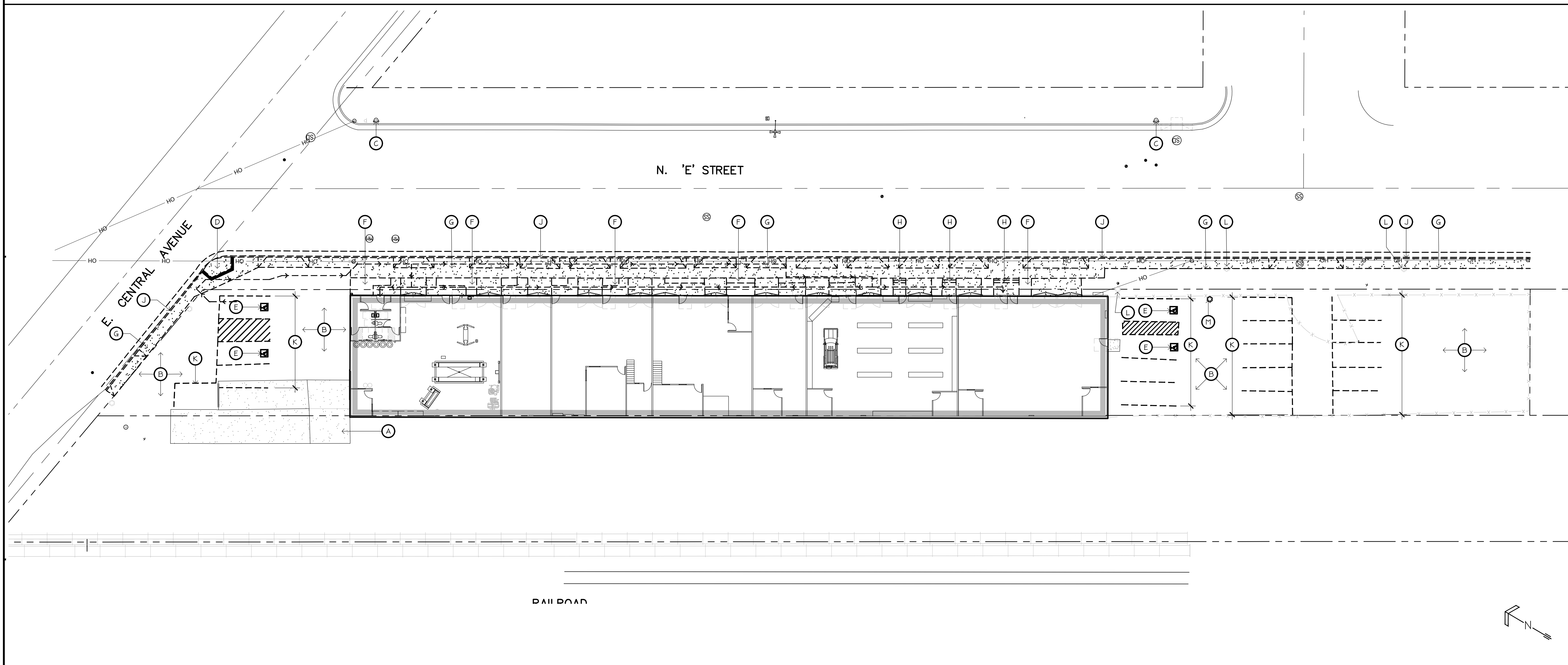
Attachment 2: Site Plan and Floor Plan

Attachment 1: Aerial Map



Attachment 2: Site Plan and Floor Plan

DEMOLITION SITE PLAN



DEMOLITION KEYED NOTES

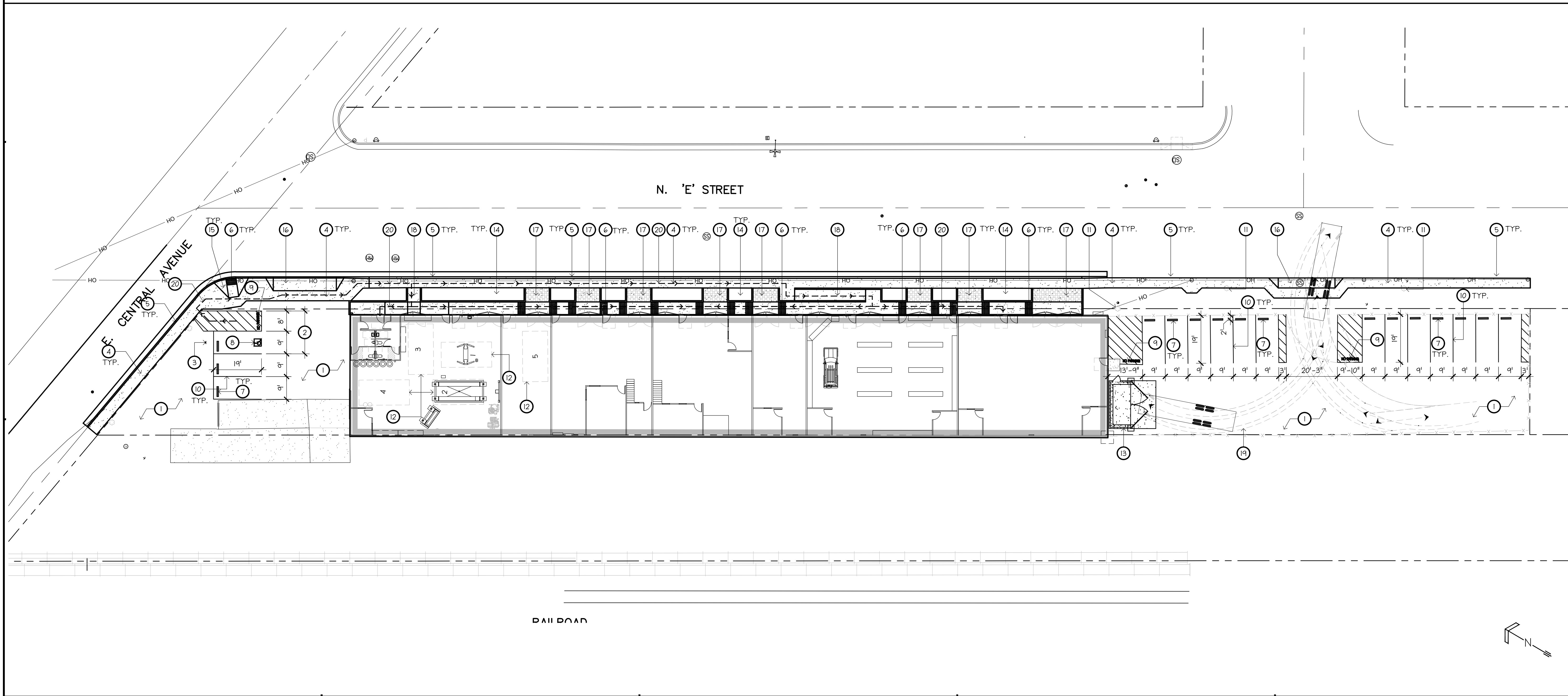
- (A) LOCATION OF EXISTING CONCRETE FLATWORK TO REMAIN.
- (B) LOCATION OF EXISTING AC PAVING TO REMAIN.
- (C) LOCATION OF EXISTING FIRE HYDRANT TO REMAIN.
- (D) LOCATION OF EXISTING CONCRETE CURB RAMP TO BE REMOVED.
- (E) LOCATION OF EXISTING PAINTED ACCESSIBILITY SYMBOL TO BE REMOVED.
- (F) DASHED LINES INDICATE LOCATION OF EXISTING LANDSCAPING TO BE REMOVED.
- (G) DASHED LINES INDICATE LOCATION OF EXISTING CONCRETE FLATWORK TO BE REMOVED.
- (H) LOCATION OF EXISTING CONCRETE STAIR AND LANDING TO BE REMOVED.
- (I) DASHED LINES INDICATE LOCATION OF EXISTING CONCRETE CURB AND GUTTER TO BE REMOVED.
- (J) DASHED LINES INDICATE LOCATION OF EXISTING PARKING STALL STRIPING TO BE REMOVED.
- (K) LOCATION OF EXISTING TREE(S) TO REMAIN.
- (L) LOCATION OF EXISTING TREE TO BE REMOVED.

PARKING DATA

EXISTING PARKING PRIOR TO PROPOSED NEW STRIPING:	
EXISTING STANDARD PARKING PROVIDED:	13 STALLS
EXISTING ACCESSIBLE PARKING PROVIDED:	4 STALLS
TOTAL EXISTING STALLS:	17 STALLS
PROPOSED NEW PARKING:	
NEW STANDARD PARKING PROVIDED:	15 STALLS
NEW ACCESSIBLE PARKING PROVIDED:	1 STALLS
NEW INTERIOR SHOP PARKING PROVIDED:	5 STALLS
TOTAL NEW STALLS:	21 STALLS

NOTE:
 DEMO SITE PLAN AND PROPOSED SITE PLAN HAVE BEEN REVISED IN ORDER COMPLY WITH THE CUP 2014-01 AND SPR 2014-01 CONDITIONS OF APPROVAL THAT WERE ISSUED MARCH 8 2017 - SEE SHEET A-0.2 FOR CONDITIONS.

PROPOSED SITE PLAN



PROPOSED KEYED NOTES

- (1) LOCATION OF EXISTING AC PAVING TO REMAIN.
- (2) LOCATION OF NEW STRIPING AT ACCESSIBLE PARKING STALL(S) - ALL PERIMETER/BOARDER STRIPING OF UNLOAD ZONE SHALL BE PAINTED BLUE - INFILL AND PARKING STRIPING SHALL BE PAINTED WHITE (INFILL STRIPING SHALL BE AT 45 DEGREES AND AT 36" O.C. MAXIMUM WITHIN "NO PARKING" ZONE) - 2% MAX SLOPE IN ALL DIRECTIONS AT ACCESSIBLE PARKING STALLS AND ACCESS AISLES.
- (3) LOCATION OF NEW POLE MOUNTED "VAN" ACCESSIBLE PARKING SIGNAGE.
- (4) LOCATION OF NEW PUBLIC WAY CONCRETE FLATWORK (5% MAXIMUM SLOPE WITH 2% MAXIMUM CROSS SLOPE) - PROVIDE CONTROL JOINTS AND EXPANSION JOINTS AS SHOWN - CONTROL AND EXPANSION JOINTS SHALL NOT ALLOW PASSAGE OF A SPHERE MORE THAN 1/2" DIA. - SEE BOX NOTE FOR ADDITIONAL INFORMATION.
- (5) LOCATION OF NEW 6" CONCRETE CURB - SEE BOX NOTE FOR ADDITIONAL INFORMATION.
- (6) LOCATION OF NEW TRUNCATED DUMPS OVER NEW CONCRETE - YELLOW AND APPROXIMATELY F535538 OF FEDERAL STANDARD SPEC. OR PROVIDE 70% MIN VISUAL CONTRAST WITH ADJACENT WALKING SURFACES.
- (7) LOCATION OF NEW CONCRETE WHEEL STOP.
- (8) LOCATION OF NEW ACCESSIBILITY SYMBOL STRIPING - SYMBOL STRIPING TO BE PAINTED ON AC PAVING AS SHOWN.
- (9) LOCATION OF NEW 12" HIGH LETTERS PAINTED TRAFFIC WHITE STATING "NO PARKING" AS SHOWN.
- (10) LOCATION OF NEW PARKING STALL STRIPING - ALL STALLS SHALL BE MARKED WITH 4" WIDE PAINTED STRIPES USING WHITE TRAFFIC GRADE PAINT.
- (11) LOCATION OF EXISTING TREES TO REMAIN.
- (12) DASHED LINES INDICATE LOCATIONS OF NEW PARKING WITHIN THE TIRE SHOP AND SHOG SHOP.
- (13) LOCATION OF NEW ONE-CELL TRASH ENCLOSURE - PER CITY STANDARDS.
- (14) LOCATION OF NEW LANDSCAPING AREAS.
- (15) LOCATION OF NEW CURB CUT RAMP - SEE BOX NOTE FOR ADDITIONAL INFORMATION.
- (16) LOCATION OF NEW DRIVE APPROACH PER CITY STANDARD.
- (17) LOCATION OF NEW SLOPED CONCRETE FOR VEHICULAR ACCESS FROM THE PUBLIC WAY INTO THE BUILDING - SEE BOX NOTE FOR ADDITIONAL INFORMATION.
- (18) LOCATION OF NEW SLOPED WALK (NOT RAMP) FOR PEDESTRIAN ACCESSIBLE ACCESS FROM PUBLIC WAY UP TO NEW ACCESSIBLE SIDEWALK THAT RUNS PARALLEL TO THE EXISTING BUILDING THAT PROVIDES ACCESSIBLE PEDESTRIAN ACCESS TO EACH TENANT ENTRY DOOR.
- (19) DASHED LINES INDICATE THE TRUCK TURNING RADIUS.
- (20) DASHED LINES INDICATE LOCATION OF ACCESSIBLE PATH OF TRAVEL FROM BUILDING ENTRANCE/EXIT WAYS TO THE PUBLIC WAY - THE ACCESSIBLE PATH OF TRAVEL AS DELINEATED SHALL BE A BARRIER-FREE ROUTE 48" MINIMUM IN WIDTH WITH CHANGES IN LEVEL BETWEEN 1/4" MIN. AND 1/2" HIGH MAX. AND SHALL BE BEVELED WITH A SLOPE NOT STEEPER THAN 1:2 MAX. SLOPE - THE CROSS SLOPE SHALL NOT EXCEED 2.00% AND SLOPE IN THE DIRECTION OF TRAVEL SHALL NOT EXCEED 5.00% (EXCEPT AT DOOR LANDINGS WHICH THE SLOPE IN ANY DIRECTION SHALL NOT EXCEED 2.00%) - THE SURFACE SHALL BE FIRM, STABLE, AND SLIP RESISTANT CONCRETE - THE ACCESSIBLE PATH OF TRAVEL SHALL BE FREE OF OVERHANGING OBSTRUCTIONS BELOW 80" AND OBJECTS PROTRUDING GREATER THAN 4" FROM A WALL ABOVE 27" AND BELOW 80".

ACTUAL PUBLIC WAY IMPROVEMENT PLANS WILL BE DEVELOPED BY THE CIVIL ENGINEER OF RECORD AND WILL BE FORMALLY SUBMITTED UNDER SEPARATE PERMIT/APPLICATION.

CENTERLINE DESIGN, LLC
 PLANNING - DESIGN - CONSULTING
 1508 TOLLHOUSE ROAD, SUITE 'C'
 CLOVIS, CALIFORNIA 93811
 559-298-3960 (OFFICE)
 559-298-3267 (FAX)

PROJECT
 PROPOSED CONDITIONS OF APPROVAL FOR:
 KEVIN LAND - TIRE SHOP
 610 NORTH E STREET
 MADERA, CA. 93638

STATUS

Current Release Date	--
Planning Submittal	--
Plan Check Submittal	--

REVISIONS

▲	
▲	
▲	
▲	
▲	

IDENTIFICATION

Scale	1" = 20'-0"
Project Coordinator	BRYAN POK
Project No.	19-125
Sheet	A-0.0

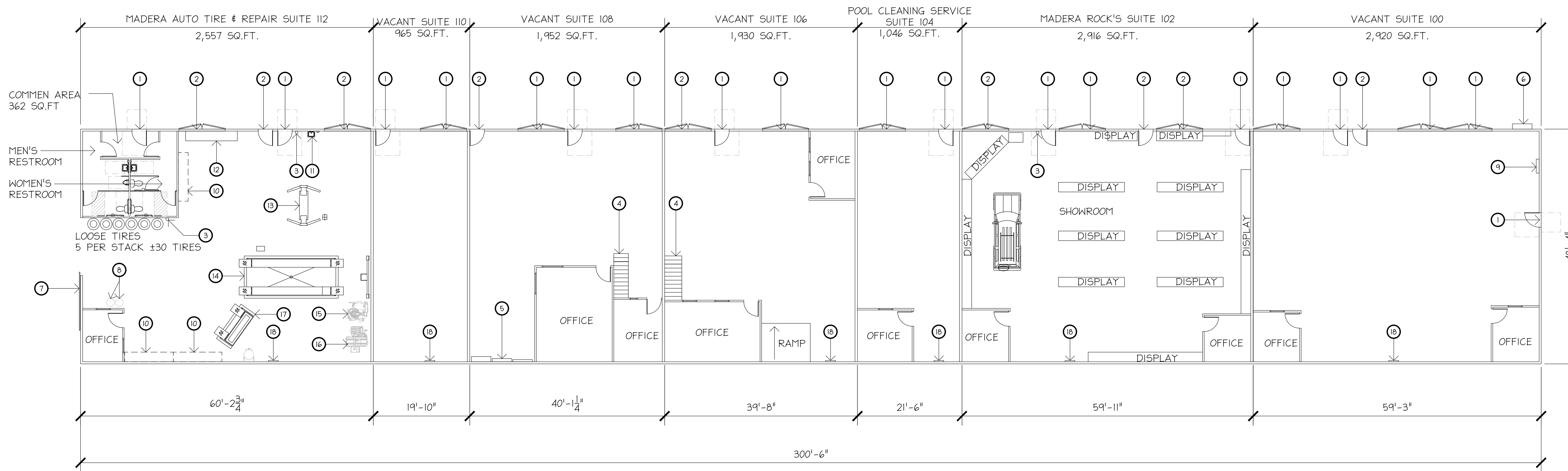
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DEMOLITION/PROPOSED SITE PLAN

A-0.0

KEYED NOTES

- ① LOCATION OF EXISTING EXTERIOR DOOR(S) TO REMAIN.
- ② LOCATION OF EXISTING EXTERIOR DOOR(S) TO REMAIN - AND TO BE PERMANENTLY SHUT/LOCKED AND SHALL NOT TO BE USED.
- ③ LOCATION OF EXISTING FIRE EXTINGUISHERS TO REMAIN.
- ④ LOCATION OF EXISTING STAIRS TO REMAIN.
- ⑤ LOCATION OF EXISTING ELECTRICAL PANELS AND TRANSFORMER TO REMAIN.
- ⑥ LOCATION OF EXISTING EXTERIOR ELECTRICAL PANELS TO REMAIN.
- ⑦ LOCATION OF EXISTING EXTERIOR SLIDING DOOR TO REMAIN.
- ⑧ LOCATION OF EXISTING STORAGE FOR OILY RAGS AND WASTE OIL TO REMAIN.
- ⑨ LOCATION OF EXISTING FIRE ALARM PANEL TO REMAIN.
- ⑩ LOCATION OF EXISTING TIRE RACK #56 TIRES TO REMAIN.
- ⑪ LOCATION OF EXISTING WALL MOUNTED SINK TO REMAIN.
- ⑫ LOCATION OF EXISTING WORK BENCH TO REMAIN.
- ⑬ LOCATION OF EXISTING CAR LIFT TO REMAIN.
- ⑭ LOCATION OF EXISTING ALIGNMENT RACK TO REMAIN.
- ⑮ LOCATION OF EXISTING TIRE MOUNTING TO REMAIN.
- ⑯ LOCATION OF EXISTING TIRE BALANCING TO REMAIN.
- ⑰ LOCATION OF EXISTING SMOG MACHINE TO REMAIN.
- ⑱ LOCATION OF EXISTING ELECTRICAL PANELS TO REMAIN.



PROJECT DATA

PARCEL DATA:	
SITE ADDRESS:	410 N. E STREET MADERA, CA 93638
A.P.N.:	007-042-001
ZONING:	C-2 (HEAVY COMMERCIAL)
BUILDING DATA:	
TOTAL GROSS BUILDING AREA:	14,649 S.F.
OCCUPANCY TYPE:	GROUP "B", "M", & "S-1" (COMMERCIAL)
CONSTRUCTION TYPE:	TYPE V-B SPRINKLERED
FIRE SPRINKLERS:	YES
FIRE ALARM:	YES
OCCUPANCY SEPERATION REQUIRED:	NO
NUMBER OF STORIES:	1
COMMON AREA:	(RESTROOMS) 362 S.F.
SUITE DATA:	
SUITE 100 (VACANT):	
TOTAL GROSS SUITE AREA:	2,920 S.F.
OCCUPANCY TYPE:	GROUP "B", "M", & "S-1" (COMMERCIAL)
SUITE 102 (MADERA ROCKS):	
TOTAL GROSS SUITE AREA:	2,916 S.F.
OCCUPANCY TYPE:	GROUP "B", "M", "M" (COMMERCIAL)
GROUP "M" OCCUPANCY LOAD:	2,696 / 60 = 45 OCCUPANTS
GROUP "B" OCCUPANCY LOAD:	221 / 100 = 2 OCCUPANTS
TOTAL OCCUPANT LOAD:	47 OCCUPANTS
SUITE 104 (POOL CLEANING SERVICE):	
TOTAL GROSS SUITE AREA:	1,046 S.F.
OCCUPANCY TYPE:	GROUP "B", "S-1" (COMMERCIAL)
GROUP "S-1" OCCUPANCY LOAD:	1,046 / 300 = 3 OCCUPANTS
TOTAL OCCUPANT LOAD:	3 OCCUPANTS
SUITE 106 (VACANT):	
TOTAL GROSS SUITE AREA:	1,930 S.F.
OCCUPANCY TYPE:	GROUP "B", "M", & "S-1" (COMMERCIAL)
SUITE 108 (VACANT):	
TOTAL GROSS SUITE AREA:	1,982 S.F.
OCCUPANCY TYPE:	GROUP "B", "M", & "S-1" (COMMERCIAL)
SUITE 110 (VACANT):	
TOTAL GROSS SUITE AREA:	965 S.F.
OCCUPANCY TYPE:	GROUP "B", "M", & "S-1" (COMMERCIAL)
SUITE 112 (MADERA AUTO TIRE & REPAIR):	
TOTAL GROSS SUITE AREA:	2,557 S.F.
OCCUPANCY TYPE:	GROUP "B", "S-1" (COMMERCIAL)
GROUP "S-1" OCCUPANCY LOAD:	2,557 / 500 = 5 OCCUPANTS
TOTAL OCCUPANT LOAD:	5 OCCUPANTS

PROPOSED CONDITIONS OF APPROVAL FOR:
KEVIN LAND - TIRE SHOP
610 NORTH E STREET
MADERA, CA. 93638

STATUS

Current Release Date	9-30-19
Planning Submittal	9-30-19
Plan Check Submittal	--

REVISIONS

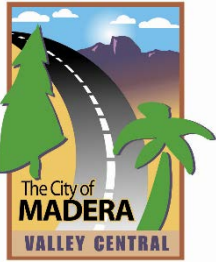
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IDENTIFICATION

Scale	3/32" = 1'-0"
Project Coordinator	BRYAN POK
Project No.	19-125
Sheet	A-1.0

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EXISTING BUILDING DIAGRAM



CITY OF MADERA PLANNING COMMISSION

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

Staff Report: Los Girasoles Food Truck CUP 2019-21, SPR 2019-26 & Categorical Exemption Item # 8 – November 12, 2019

PROPOSAL: Consideration of a request for a conditional use permit and site plan review to allow for the semi-permanent placement of a food truck in the parking field of the Chevron gas station on West Cleveland Avenue.

APPLICANT:	Leovigildo Rueda Mendoza	OWNER:	Vikram Vohra
ADDRESS:	1801 West Cleveland Avenue	APN:	013-110-010
APPLICATION:	CUP 2019-21 & SPR 2019-26	CEQA:	Categorical Exemption

LOCATION: The project is located on the northwest corner of the intersection of West Cleveland Avenue and Highway 99 southbound off-ramp.

STREET ACCESS: The property has access to West Cleveland Avenue.

PARCEL SIZE: Approximately 1.27 acres.

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C2 (Heavy Commercial)

SITE CHARACTERISTICS: The project site is located along the Cleveland Avenue commercial corridor adjacent to southbound Highway 99. Businesses in the immediate vicinity of the project site include the Commons at the Fairgrounds shopping center to the south and Perko's restaurant to the west.

ENVIRONMENTAL REVIEW: This project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).

SUMMARY: The applicant, Los Girasoles, proposes to sell food from their mobile food truck on a semi-permanent basis at the Chevron gas station property on West Cleveland Avenue. The applicant wishes to operate anytime during the evening, although there isn't any anticipated detrimental impact to allow for the mobile food truck to operate 24-hours, seven days a week. The applicant is also requesting outdoor seating for their customers which will be required to be located in close proximity to the food truck as to not obstruct any detriment to traffic and pedestrian safety. Off-street parking complies with the parking requirements of the City for a mobile food vendor use.

APPLICABLE CODES AND PROCEDURES

MMC §10-3.201(C, D and E) – Mobile Food Vendor Requirements
MMC §10-3.902 Heavy Commercial 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

A site plan review was approved in 1990 that guided the development of the Chevron gas station. Since its development, no other entitlements have been approved by either the Planning Department or Commission. A complete remodel was proposed by the owners in 2016, but conditions of approval relative to off-site improvements ultimately led the applicant to withdraw their application.

ANALYSIS

Operations

Los Girasoles is wanting to expand their business to include a semi-permanent location for their mobile food truck at the Chevron gas station on West Cleveland Avenue. Los Girasoles currently has a restaurant on North Gateway Drive and is using that location as their commissary for their food truck.

The mobile food truck is proposed to be located towards the eastern edge of the property, closest to the highway off-ramp. According to their operational statement, they would like to operate during evenings into late nights at the gas station to provide an alternative choice to the current food options available in the immediate vicinity. The gas station operates 24 hours, seven days a week and there would be no detrimental impact to the surrounding properties if the food truck were to operate consistent with the gas station's hours of operation. Staff recommends the allowance of the food truck to operate 24 hours, seven days a week, so long as the use does not negatively impact surrounding uses.

The applicant also proposes outdoor dining as a component of the use permit application. Staff recommends no more than three tables and nine seats be utilized in an area in close proximity to the truck that is not detrimental to traffic or pedestrian safety. The location of the outdoor seating area will be reviewed as a component of building plan check, consistent with Building and Fire requirements.

Parking

The Madera Municipal Code (MMC) requires that mobile food vendors have three dedicated parking stalls for their use. Staff recommends three parking stalls be striped directly south of the location of the mobile food truck (see Attachment 1) to the City's standard for parking stalls. An ADA path of travel will be required to be located adjacent east of the parking stalls, separated by a six-inch concrete curb that travels from the mobile food truck to the sidewalk.

Site Improvements

The proposal of the semi-permanent placement of a food truck on the property only warrants the bare minimum for on- and off-site improvement requirements, such as providing ADA paths of travel. The previous remodel proposal was a complete demolition and rebuild, which would require more extensive on- and off-site improvement requirements.

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 semi-permanent mobile food truck 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 use permit and 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 make a determination on CUP 2019-21 and SPR 2019-26, subject to the findings and conditions of approval.

PLANNING COMMISSION ACTION

The Commission will be acting on CUP 2019-21 and SPR 2019-26 and determine 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 appeal to the City Council within fifteen calendar days of the Commission's action.

Motion 1: Move to approve CUP 2019-21 and SPR 2019-26, subject to the findings and conditions of approval as listed:

Findings

- This project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).

- A mobile food truck business is consistent with the purposes of the C (Commercial) General Plan land use designation and the C2 (Heavy Commercial) Zone District which provide for the use.
- Semi-permanent placement of a mobile food truck is consistent with the purposes of the C (Commercial) General Plan land use designation and the C2 (Heavy Commercial) 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 CUP 2019-21 within one year following the date of this approval shall render CUP 2019-21 null and void unless a written request for extension has been submitted to and approved by the Planning Commission.
3. CUP 2019-21 may be made null and void without any additional public notice or hearing at any time upon both the benefactors of CUP 2019-21 and owners of the property voluntarily submitting to the City a written request to permanently extinguish CUP 2019-21.
4. SPR 2019-26 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 2019-21 and SPR 2019-26 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 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.

7. 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.
8. All on- and off-site improvements shall be completed prior to the commencement of the mobile food truck use.

Building Department

9. 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.
10. An ADA path of travel shall be painted adjacent to the parking stalls dedicated for the mobile food truck, separated by a six-inch concrete curb. The ADA path of travel shall direct pedestrians from the food truck to the sidewalk, consistent with Building and Fire requirements.
11. A site plan shall be submitted to the Building Department for plan check and shall include the location of the mobile food truck, outdoor seating area, dedicated parking stalls, and ADA path of travel from the food truck to the sidewalk separated by a six-inch concrete curb.

Fire Department

12. For permanent location, a kitchen and duct extinguishing system shall be installed within the cooking equipment of the mobile coach.
13. One 2A10BC-rated fire extinguisher shall be required and one K Class fire extinguisher shall be required.
14. Fire lanes shall be properly posted in accordance with the California Fire Code (CFC) and California Vehicle Code (CVC).
15. The location, as shown, must be adhered to a minimum of 25 feet from the closest dispenser.
16. The placement of the mobile food truck shall not obstruct access to the existing tire pressure fill area.

Planning Department

General

17. On-site vandalism and graffiti shall be corrected per the MMC.
18. 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 and refuse containers on the property.
19. The property owner, operator and/or manager shall operate in a manner that does not generate noise, odor, light glare, blight or vibration that adversely affects any adjacent properties.

20. 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.

Food Truck Operations

21. The hours of operation for the mobile food truck shall be allowed for 24 hours, seven days a week.
22. The location of the mobile food truck shall be consistent with the location indicated on Attachment 1. Any deviation from the approved location shall be reviewed and approved by all applicable departments, including Planning and Police.
23. The mobile food truck shall not be allowed in the following areas:
 - a. Within fifteen feet of any crosswalk or fire hydrant;
 - b. In marked diagonal parking spaces;
 - c. On any sidewalk or street adjacent to a curb which has been designated as a white, yellow, blue, green or red zone;
 - d. Within twelve feet of the outer edge of any entrance way to any building or facility used by the public measured in each direction parallel to the building;
 - e. At a location where a pedestrian passage will be reduced to less than six feet;
 - f. At any location where such operation may create a traffic hazard. The judgement of a Madera police officer shall be deemed conclusive as to whether the operation is creating a hazard;
 - g. On any public right-of-way within 75 feet of any street intersection;
 - h. On any public right-of-way designated by the City Engineer that represents a public peace, safety, health or welfare concern.
24. The mobile food truck shall have affixed to it in plain view or available for immediate inspection a Madera City Business License, Health Certificate and any other permit required by this or any other applicable code.
25. The operator of the mobile food truck shall carry their operator's permit at all times while in the unit.
26. A refuse bin of at least one cubic foot shall be provided in or on the unit and shall be accessible by customers.
27. No shouts, calls, horns or other noise nor amplified sound which can be heard fifty or more feet from the unit shall be permitted.
28. The mobile food truck shall comply with all applicable regulations set forth in Articles 10 and 10.1 of Title 17 of the California Administrative Code.
29. No cooking or food preparation shall be done while the mobile food truck is in motion.
30. Waste water shall not be discharged from the mobile food truck except at an approved disposal site.
31. The mobile food truck shall clearly exhibit the name of the owner of the unit, business address and business phone number of the person, firm, association, organization, company or corporation.

32. The operator of the mobile food truck shall be responsible for collection and proper disposal of all trash and debris accumulated by reason of their vending operation.

Landscaping

33. 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

34. A minimum of three standard on-site parking spaces in conformance with City standards shall be required in conjunction with the location of a unit on private property on a semi-permanent basis. Each parking stall shall be a nine feet in width and nineteen feet in depth.
35. The location of the parking stalls shall be striped consistent with their location indicated on Attachment 1. Any deviation from the approved location of the parking stalls shall be reviewed and approved by the Planning Department.

Signage

36. Signage allowed for the mobile food truck shall only be affixed to or painted on the unit or its canopy, with a maximum area of eight square feet.

Madera County Environmental Health Division

37. The mobile food truck owner shall meet the requirements from the California Retail Food Code Section 114315, which states, "A food facility shall be operated within 200 feet travel distance of an approved and readily available toilet and handwashing facility, or as otherwise approved by the enforcement agency, to ensure that restroom facilities are available to facility employees whenever the mobile food facility is stopped to conduct business for more than a one-hour period."
38. The mobile food truck owner shall submit a "restroom authorization" form for review and approval to the Madera County Environmental Health Division.

(OR)

Motion 2: Move to continue the public hearing on CUP 2019-21 and SPR 2019-26 to the December 10, 2019 Commission hearing, for the following reasons: (specify)

(OR)

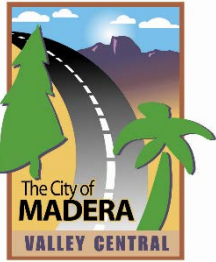
Motion 3: Move to deny the application for CUP 2019-21 and SPR 2019-26, based on the following findings: (specify)

ATTACHMENTS

Attachment 1: Aerial Map

Attachment 1: Aerial Map





CITY OF MADERA PLANNING COMMISSION

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

Staff Report: Central Vallé Ink CUP 2019-18 & Categorical Exemption Item # 9 – November 12, 2019

PROPOSAL: Consideration of a request for a conditional use permit to allow for the establishment of a tattoo and body piercing business within an existing building suite.

APPLICANT:	Gabriel Jaime	OWNER:	Nam Huu Nguyen & NGA Thi Dang
ADDRESS:	1130 Country Club Drive, Ste. C	APN:	003-194-003
APPLICATION:	CUP 2019-18	CEQA:	Categorical Exemption

LOCATION: The project site is located on the northwest corner of Country Club Drive and Sharon Boulevard.

STREET ACCESS: The project site has access from Country Club Drive and Sharon Boulevard.

PARCEL SIZE: The project site is approximately 0.6 acres.

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C2 (Heavy Commercial)

SITE CHARACTERISTICS: The site is surrounded by mix-commercial and retails uses to the north, east and south and undeveloped land to the west.

ENVIRONMENTAL REVIEW: The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).

SUMMARY: The applicant is proposing to establish a tattoo and body piercing business within an existing tenant suite. Personal care service uses, such as tattoo parlors, are not specifically addressed as a permitted use in the C2 (Heavy Commercial) Zone District. The Zoning Ordinance does allow for uses which are not specifically called out within the use schedule when, in the opinion of the Planning Commission (Commission), a use will not be more obnoxious or detrimental to the welfare of the community than other uses permitted in the same zone. Staff analysis indicates establishment of the tattoo and body piercing business will have negligible impacts on surrounding uses.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.403 Additional Permitted Uses

MMC § 10-3.1301 Use Permits

MMC § 10-3.901 Heavy Commercial Zone – Uses Permitted

MMC § 10-3.1202 Parking Regulations

The City's Zoning Ordinance allows for the granting of a use permit by the 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 site improvements required 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.

PRIOR ACTION

The site was originally entitled as part of Site Plan Review (SPR) 1986-19, which allowed for the development of an approximately 8,000 square feet of retail shopping and a convenience store. Subsequent modifications through SPR 1987-09 and SPR 1987-15 resulted in additional development of approximately 8,500 square of retail space with a convenience store and associated fuel stations. There are no discretionary entitlements associated with the site.

ANALYSIS

What is Tattooing?

Tattooing is one of the oldest art forms. In ancient times, tattoos were not only applied for decoration, but they also held symbolic significance. In western culture, tattoos were once viewed as taboo. Over time, tattooing has become a popular method of personal artistic expression. Tattoos have evolved to include cosmetic tattooing (micropigmentation) and medical alert tattooing. Modern applications of tattooing entail the outer layer of the skin being marked with ink or dye using a machine guided needle, resulting in permanent body modification.

Operations

The applicant is requesting the allowance to establish a tattoo parlor to include three work stations. Approval of the conditional use permit will allow the applicant to procure tattoos and body piercing services. The applicant specializes in black and gray realism tattoos, traditional tattoos and the like. The applicant anticipates procuring services for anywhere between ten and fifteen customers per day. Hours of operations are proposed to occur as early as 8 AM to as late as 11 PM, though the applicant will generally operate between the hours of 11 AM and 8 PM, Monday through Saturday. The establishment of the use may necessitate minor tenant improvements.

Use Permit Applicability

The Zoning Ordinance allows for additional permitted uses not specifically mentioned as a permitted use in a zone provided a use is similar to that of a permitted use and when in the opinion of the Commission a use is "not more obnoxious or detrimental to the welfare of the community than the permitted uses

specifically mentioned for the respective zone”. In this case, a personal care service use, such as a tattoo parlor, may be permitted through the approval of a conditional use permit when in the opinion of the Commission, a use is of a similar nature to other uses permitted in the C2 (Heavy Commercial) Zone District. As conditioned the tattoo parlor would not 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.

Analysis would show surrounding valley municipalities have determined body art establishments, such as tattoo parlors, as an acceptable use in commercial zone districts through the conditional use permit process. Most recently, the Commission approved CUP 2019-15 at the October 2019 public hearing, which allowed for the establishment of a tattoo parlor in the C2 (Heavy Commercial) Zone District. As body art establishments become more common within the City, it has been staff’s observation that tattoo parlors are generally compatible with surrounding uses contingent to businesses being able to operate consistent with the conditions of approval. In addition to local ordinances, body art establishments are required to adhere to the California Health and Safety Code, known as the Safe Body Art Act. If approved, any material violation of State and local conditions and requirements may be cause for review and revocation of the use.

Compatibility

The site is surrounded by mixed commercial, retail and business professional uses that extend north, south, and east of the Country Club commercial corridor. The project site is currently occupied by a C-store and gas station, a nail salon, and a Camarena Health clinic. There is another application to fill a vacant suite with a cigarette and vape shop. Other uses in proximity to the site include a Kentucky Fried Chicken to the north, a retail shopping center to the east, a former drive-thru use to the south and undeveloped land to the west. In review of the tattoo and body piercing business, staff anticipates minimal impacts on surrounding uses. As conditioned, the tattoo and body piercing business will not be conducive to public nuisances, such as noise, odor or vibration. Staff recommends tattoo areas not be visible from the public right-of-way. Signage on the site will be required to adhere to the Sign Ordinance. Based on the proposed business operations and the recommended conditions of approval, staff is comfortable recommending the approval of the tattoo parlor use.

Site Parking

The site was developed with a ratio of one parking stall for every 300 square feet of floor area, resulting in 28 parking stalls, which is consistent with the MMC parking requirements. The project site is composed of mixed uses that include retail, personal care service, and a professional office use. The establishment of the tattoo parlor is not anticipated to exacerbate parking on the site. The following matrix illustrates the current uses on the site alongside their respective leasable area.

Tenant	Use	Site Sq. Ft.
Mexicali Market	Food Retail	Approx. 3,000 sf
Vacant	Retail	Approx. 1,100 sf
Tattoo Parlor	Personal Care	Approx. 800 sf
Nail Salon	Personal Care	Approx. 1,200 sf
Camarena Health	Professional Office	Approx. 2,500 sf

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 tattoo parlor is not specifically addressed in the vision or action plans, the overall project does indirectly support Action 115.2, which states, "As a component of the General Plan Update, increase retail outlets and promote Shop Madera..."

RECOMMENDATION

The information presented in this report provides support for the conditional approval of the use permit request. It is recommended that the Commission consider the information in this report, testimony in the public hearing, and make a decision on the CUP 2019-18 request.

PLANNING COMMISSION ACTION

The Commission will be acting on CUP 2019-18 determine 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 applications is subject to appeal to the City Council within fifteen (15) calendar days of the Planning Commission's action.

Motion 1: Move to approve CUP 2019-18, based on and subject to the following findings and conditions of approval:

Findings

- This project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).
- The operation of a tattoo parlor is consistent with the purpose and intent of the C (Commercial) General Plan land use designation and the C2 (Heavy Commercial) Zone District, subject to the issuance of a conditional use permit.
- As conditioned, the establishment, maintenance and operation of the tattoo parlor 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 30 days of the date of approval.
2. The applicant's failure to utilize CUP 2019-18 within one year following the date of this approval shall render the use permit null and void unless a written request for extension has been submitted to and approved by the Commission.
3. CUP 2019-18 may be made null and void without any additional public notice or hearing at any time upon both the benefactors of the use permit and owners of the property voluntarily submitting to the City a written request to permanently extinguish CUP 2019-18.
4. CUP 2019-18 shall expire and be rendered null and void if the use is discontinued for a period of twelve months unless a written request for an extension has been submitted to and approved by the Commission.
5. CUP 2019-18 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 of approval, staff may schedule an item before the Commission so that it may determine whether to consider setting a hearing regarding revocation of the permit.
6. 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.
7. Any site or building plans submitted for any building permit applications shall reflect changes required by the herein listed conditions of approval. Any deviation from the approved plans or any conditions contained herein shall require, at a minimum, prior written request by the applicant and approval by the Planning Manager.

Building Department

8. A building permit is required for all improvements. All construction on the site shall meet California Building Code (CBC), California Fire Code (CFC) and Americans with Disabilities Act (ADA) requirements prior to occupancy.
9. Current State and Federal handicap requirements shall apply to the entire site and all structures and parking thereon. Compliance shall be checked at the permit stage and confirmed at final inspection.

Environmental Health

10. The operator shall contact Madera County Environmental Health to obtain an Operating Permit for a body art facility and register as a small quantity medical waste generator.

Fire Department

11. One, 2A10BC-rated fire extinguisher is required.
12. Door hardware shall open from the inside without the use of a key or any special knowledge or effort.
13. The operator shall provide a key for the knox key box if the door is re-keyed.

Planning Department

General

14. On-site vandalism and graffiti on the project site shall be corrected per the MMC.
15. The property owner, applicant and/or operator shall operate in a manner that does not generate noise, odor, blight or vibration that adversely affects any adjacent properties.
16. The property owner, applicant and/or operator shall keep the property clear of all trash, rubbish and debris at all times; and the dumping of refuse shall be restricted to the dumpster and refuse containers assigned to the subject property.
17. The property owner, applicant and/or operator shall comply with all federal, state and local laws. Material violations of any applicable laws concerning the use will be cause for revocation of this permit.

Use Permit

18. CUP 2019-18 allows for the establishment of a tattoo and body piercing business within an existing building located at 1130 Country Club, Suite C, with no more than three work stations.
19. The tattoo parlor shall be permitted to operate between the hours of 8:00 AM until as late as 10:00 PM, seven days a week.
20. Tattoo activities shall be confined entirely within the building. Tattoo areas shall not be visible from the public right-of-way. Where tattoo areas are visible through windows, windows shall be tinted to screened to prevent public view into the tattoo areas.
21. The business owner/operator shall be responsible for the conduct of persons employed or retained by the business while on the business premises or while otherwise providing service on behalf of the tattoo parlor.
22. The business shall comply with all federal, state and local laws and regulations, including, without limitation to provisions of the California Health and Safety Code Section 119300.
23. Criminal acts occurring on the premises and/or related to the business, whether or not committed by the business owner, operator and/or employees of the business, shall be reviewed by the Police Department and shall be grounds for revocation of the use permit by the Commission.

24. It shall be a violation of CUP 2019-18 to promote and/or affiliate with any member of a criminal organization. Members of a criminal organization shall not be permitted to loiter near or upon the tattoo parlor.

Landscape

25. The property owner and/or operator shall maintain all landscaping in a healthy and well-manicured appearance. More specifically, the planter boxes located to the exterior of the building shall be rehabilitated and maintained.

Signage

26. All signage shall comply with the Sign Ordinance of the MMC Chapter 10-6 and shall have an approved sign permit issued by the Planning Department.
27. Tattoo graphics and/or signs shall not be permitted on windows.

(OR)

Motion 2: Move to continue the public hearing on CUP 2019-18 to the December 10, 2019 Commission hearing, for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for CUP 2019-18, based on the following findings: (specify)

ATTACHMENTS

- Attachment 1: Aerial Map
- Attachment 2: County Environmental Health Letter
- Attachment 3: Site Plan
- Attachment 4: Applicants Operational Letter

Attachment 1: Aerial Map



Attachment 2: County Environmental Health Letter



**Community and Economic Development
Environmental Health Division**

Dexter Marr
Deputy Director

- 200 W. 4th Street
- Suite 3100
- Madera, CA 93637
- (559) 675-7823
- FAX (559) 675-7919
- envhealth@madera-county.com

TO: Jesus Orozco, City of Madera Planning Department

FROM: Monica Roath, Madera County Environmental Health Division

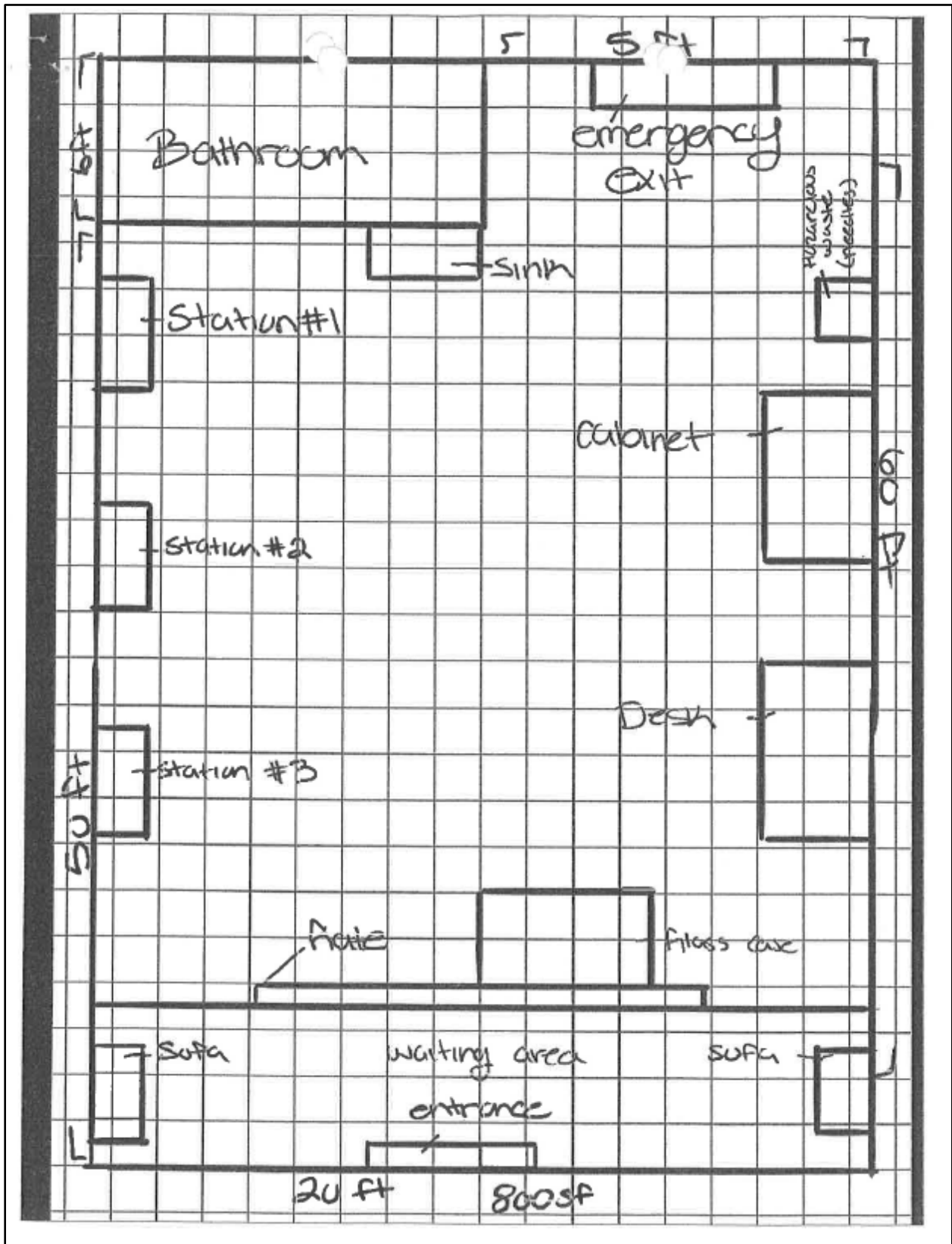
DATE: October 11, 2019

**RE: Conditional Use Permit (CUP) #2019-18, Central Valle Ink
1130 Country Club Drive, Ste C, Madera**

Madera County Environmental Health Division Comments:

Prior to operation, applicant shall contact Madera County Environmental Health Division's Body Art Program to obtain an annual Tattoo/Body Piercing/Permanent Cosmetology Program Operating Permit. Contact a Body Art program specialist within this Division at (559) 675-7823 for any questions that you may have during this process.

Attachment 3: Site Plan



Attachment 4: Applicants Operational Letter

Applicant: Gabriel Jaime

September 19, 2019

Shop name: Central Valle' Ink

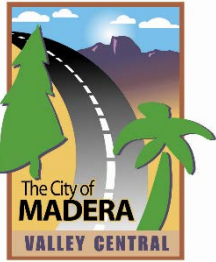
Email: gabej3187@gmail.com

Cell phone: (559) 871- 6018

Business Set Up

The shop will be open from Monday's- Saturday's, from 11:00 AM- 8:00 PM. Times may vary when Central Valle' Ink opens and closes depending on the client's availability. Some appointments may be as early as 8:00 AM or 9:00AM and the latest it may close is at 11:00 PM. I will be accepting both walk ins and appointments. A rough estimate of how many people will walk in may vary day to day, but on average approximately ten people. There will be three tattoo stations which also includes my own. Each station will be equipped with a light stand, tool chest, trash can, and a tattoo table. In the tool chest, all tattoo artists will have all the essentials they will need and labeled according to their correct use. They will also have but not limited too, razors, green soap, mada-cide, ink, popsicle sticks, bandage wrap/tape, markers, tattoo machines and power supplies. On the wall of each station will be two documents of a bloodborne pathogen test and license to tattoo in Madera County. All tattoo equipment will be stored in a tool chest that have locks and any other supplies will be kept in a cabinet that has a lock as well. Hazardous material such as needles will be put in a special container that has hazardous material labeled on it and will be put away. All tattoo equipment will be sanitized before tattooing and after. Tattoos will be conducted per health department requirements. Before tattooing I will ask clients for their I.D. to make sure they are 18 or older, they will then sign a screening form.

CUP 2019-22
STAFF IS REQUESTING THIS ITEM BE
CONTINUED TO THE DECEMBER 10, 2019
PLANNING COMMISSION HEARING



CITY OF MADERA PLANNING COMMISSION

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

Staff Report: U.S. Water CUP 2019-24 & Categorical Exemption Item # 11 – November 12, 2019

PROPOSAL: Consideration of a request for a conditional use permit to allow for the storage of chemicals and hazardous materials in conjunction with the establishment of a chemical storage and warehouse facility in an existing tenant suite in the Freedom Industrial Park.

APPLICANT:	U.S. Water Services Inc./Paul Hansen	OWNER:	Span Development LLC
ADDRESS:	1955 Independence Drive	APN:	009-331-018
APPLICATION:	CUP 2019-24	CEQA:	Categorical Exemption

LOCATION: The project is located on the approximately 1,000 feet west of the intersection of South Pine Street and Independence Drive, in the Freedom Industrial Park.

STREET ACCESS: The property has access to Independence Drive.

PARCEL SIZE: Approximately 3.7 acres.

GENERAL PLAN DESIGNATION: I (Industrial)

ZONING DISTRICT: I (Industrial)

SITE CHARACTERISTICS: The project site is located in the Freedom Industrial Park. Freedom Industrial Park is beginning to see more development with the inclusion of Deerpoint Group and TranPak. The future intermodal station is also anticipated to be completed in the near future. Agricultural uses are located south of the industrial park and Madera South High School is located east of the industrial park.

ENVIRONMENTAL REVIEW: This project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).

SUMMARY: The applicant is proposing to store hazardous materials in conjunction with the establishment of their chemical storage and warehouse facility business. The applicant will be utilizing an existing tenant suite within a recently constructed industrial building. No changes will be made to the site plan or to the exterior of the building. The storage of chemicals and hazardous materials will be consistent with the requirements of the Fire Marshal.

APPLICABLE CODES AND PROCEDURES

MMC §10-3.1002 Industrial Zones – Uses Permitted
MMC §10-3.1301 Use Permits

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.

PRIOR ACTION

Tentative Subdivision Map (TSM) 2014-01 was approved by the Commission on March 11, 2014 that allowed for the creation of all parcels within the Freedom Industrial Park. The project site is located within one of the parcels in Freedom Industrial Park. Site Plan Review (SPR) 2017-25 allowed for the development of the 75,000 square foot industrial building on the project site. Upon construction of the industrial building, Span Construction anticipated multiple tenant suites would be incorporated within the building to allow for businesses like the applicant, U.S. Water, to utilize their tenant suite space.

ANALYSIS

Operations

U.S. Water is an innovative and flexible provider of water and environmental management solutions. They are looking to store their chemicals and hazardous materials (see Attachment 3) in an existing tenant suite of an industrial building in Freedom Industrial Park. The storage of chemicals and hazardous materials will comply with the requirements of the Fire Marshal in order to provide a safe environment for all employees and surrounding uses. These requirements will limit the amount of chemicals and hazardous materials so that there will be negligible impact to surrounding uses, including the high school to the east.

Parking

The previous site plan review that was completed for this entitlement anticipated similar uses to U.S. Water. The parking requirements for a warehouse and storage business is one parking stall for each two employees, plus one parking stall for each 300 square feet of office area. According to the operational statement and floor plan, there is an anticipation of ten employees and 1,200 square feet of office area. This would equate to a minimum requirement of nine parking stalls. With a total of 34 parking stalls on the site, there is adequate parking to serve the use with an additional 25 parking stalls to serve future uses.

Site Improvements

A site plan review was not required as a component of this use permit request because one was recently completed two years ago where there have been no code changes have occurred since that time. The

only site improvements for this project will be limited to any required tenant improvements in the interior of the tenant suite.

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 chemicals and hazardous materials storage warehouse/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 use permit request. It is recommended that the Commission consider the information in this report, as well as testimony in the public hearing, and make a determination on CUP 2019-24, subject to the findings and conditions of approval.

PLANNING COMMISSION ACTION

The Commission will be acting on CUP 2019-24 and determine 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 applications is subject to appeal to the City Council within fifteen calendar days of the Commission’s action.

Motion 1: Move to approve CUP 2019-24, subject to the findings and conditions of approval as listed:

Findings

- This project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities).
- The storage of chemicals and hazardous materials 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, 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 CUP 2019-24 within one year following the date of this approval shall render CUP 2019-34 null and void unless a written request for extension has been submitted to and approved by the Planning Commission.
3. CUP 2019-24 may be made null and void without any additional public notice or hearing at any time upon both the benefactors of CUP 2019-24 and owners of the property voluntarily submitting to the City a written request to permanently extinguish CUP 2019-24.
4. CUP 2019-24 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. 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.
6. 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.

Fire Department

7. A key shall be provided for the facility's Knox box.
8. One 2A10BC-rated fire extinguisher shall be required for each 3,000 square feet of floor area.
9. A complete Hazardous Materials Management Plan (HMMP) shall be provided at time of submission of the Tenant Improvement building permit.
10. Compliance with California Fire Code (CFC) Article 50 (Hazardous Materials) shall be provided as determined by the HMMP. This may include one or more of the following:
 - Hazardous Materials Alarm and/or sensors.
 - Water tight floor for secondary.
 - Quantity limitations.
 - Commodity separations.
 - Separate control areas.

Planning Department

General

11. On-site vandalism and graffiti shall be corrected per the MMC.
12. 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.
13. 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.
14. 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.

Hazardous Materials Storage

15. CUP 2019-24 allows for the storage of chemicals and hazardous materials. All storage of chemicals and hazardous materials shall be within the existing tenant suite identified on the site plan (see Attachment 2).
16. All proposed chemicals and hazardous materials stored within the tenant suite shall be approved by the Fire Marshal, including their location.

Landscaping

17. 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

18. Onsite 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

19. 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.

Madera County Health Department

20. The applicant shall comply with Madera County Health Department requirements listed in the letter dated October 25, 2019 (see Attachment 2).

(OR)

Motion 2: Move to continue the public hearing on CUP 2019-24 to the December 10, 2019 Commission hearing, for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for CUP 2019-24, based on the following findings: (specify)

ATTACHMENTS

Attachment 1: Aerial Map

Attachment 2: Madera County Health Department Letter

Attachment 3: Site Plan & Floor Plan

Attachment 4: Hazardous Materials Storage List

Attachment 1: Aerial Map



Attachment 2: Madera County Health Department Letter



October 25, 2019

Madera County Environmental Health Division (MCEHD) Comments

Re: CUP 2019-24 - U.S. WATER, 1955 Independence Drive, Madera CA 93637

Comments provided below supersedes the comments submitted by MCEHD on October 22, 2019.

1. The owners/operators of this facility must complete a Business Activities Declaration with the CUPA Program within this Division and may be required to obtain other related permit(s) due to the possible storage/handling of reportable quantities of hazardous materials onsite or for ANY amounts of hazardous waste onsite at any time. Related permits, but not limited to, are listed below:
 - a. Every business in Madera County that stores or handles hazardous materials in the following amounts, or greater, shall submit business information into the statewide information management system, the California Environmental Reporting System (CERS).
<https://cers.calepa.ca.gov/>
 - 55 gallons of liquid
 - 200 cubic feet of compressed gases
 - Extremely hazardous substances above the threshold planning quantities (TPQs)
 - AND/OR Any amount of hazardous waste
 - b. Stationary sources with more than a threshold quantity of a regulated substance shall be evaluated to determine the potential for and impacts of accidental releases from that covered process. Under conditions specified by Chapter 6.5 of the California Health and Safety Code and Title 19 of the California Code of Regulations, the owner or operator of a stationary source may be required to develop and submit a risk management plan (RMP).
 - c. Tank facility with an aggregate storage capacity of 1,320 gallons or more of petroleum is subject to the Aboveground Petroleum Storage Act (Chapter 6.67 of California Health and Safety Code) and a permit from this division shall be issued prior to aboveground tank operation.

COMMUNITY AND ECONOMIC DEVELOPMENT ENVIRONMENTAL HEALTH DIVISION
200 West Fourth Street • Madera, CA 93637 • 559.675.7823 • MadCoServices.com • maderacounty.com





Contact a MCEHD CUPA program specialist within this Division at (559) 675-7823 for any questions that you may have during this process.

Sincerely,

Phengphanh Phondeth, Senior Registered Environmental Health Specialist
Community and Economic Development
Madera County Environmental Health Division

CUP 2019-24
October 25, 2019

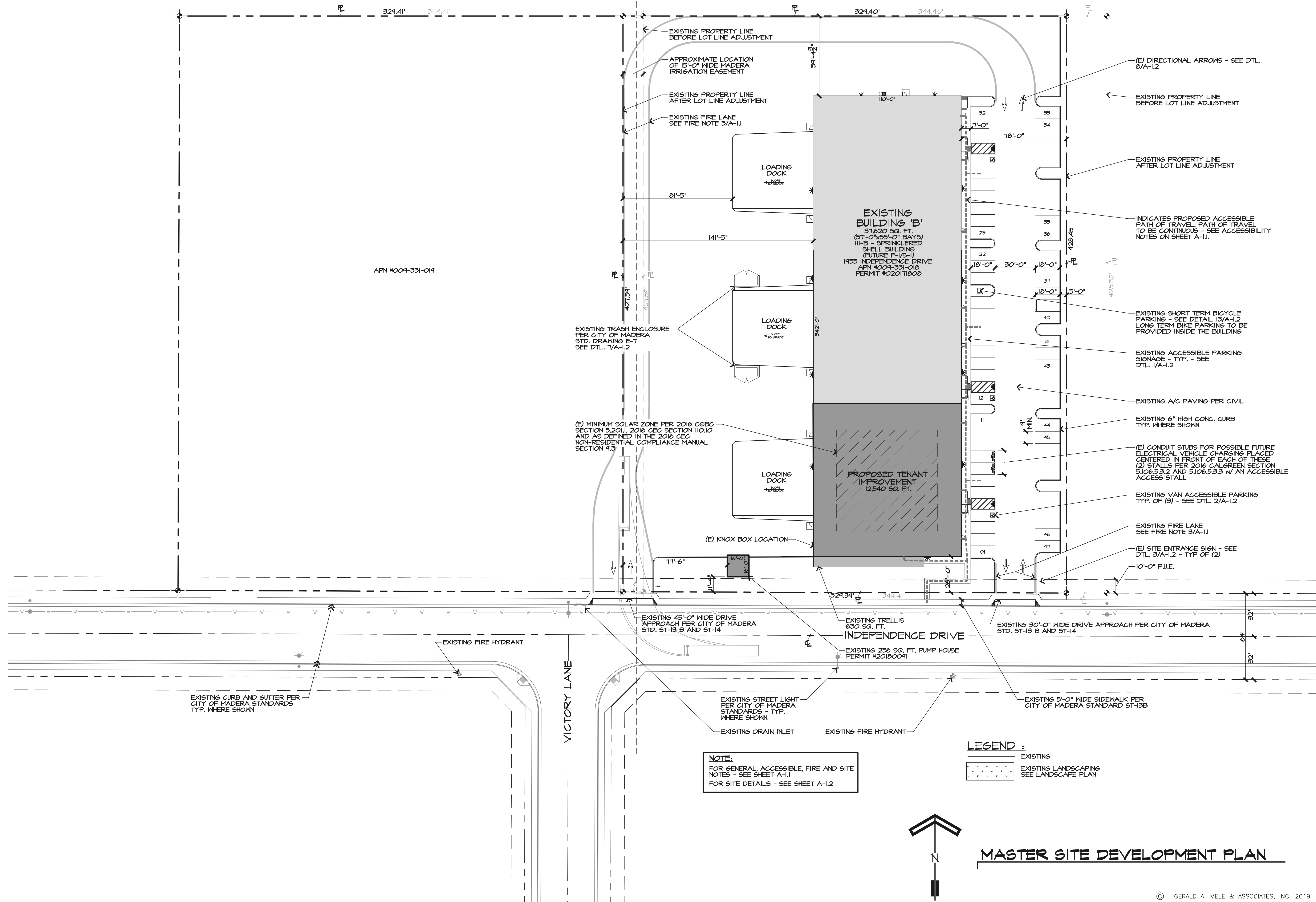
[2]



Attachment 3: Site Plan and Floor Plan

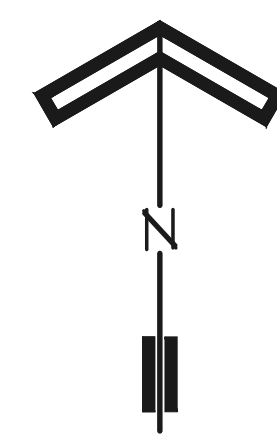
No.	Issue/Revision	Date

Date	09/12/19
Scale	1" = 30'-0"
Dr. By	D. FIELD
Job No.	2019.146
Dwg. No.	19196MSD
Sheet	A-1
Revision No.	

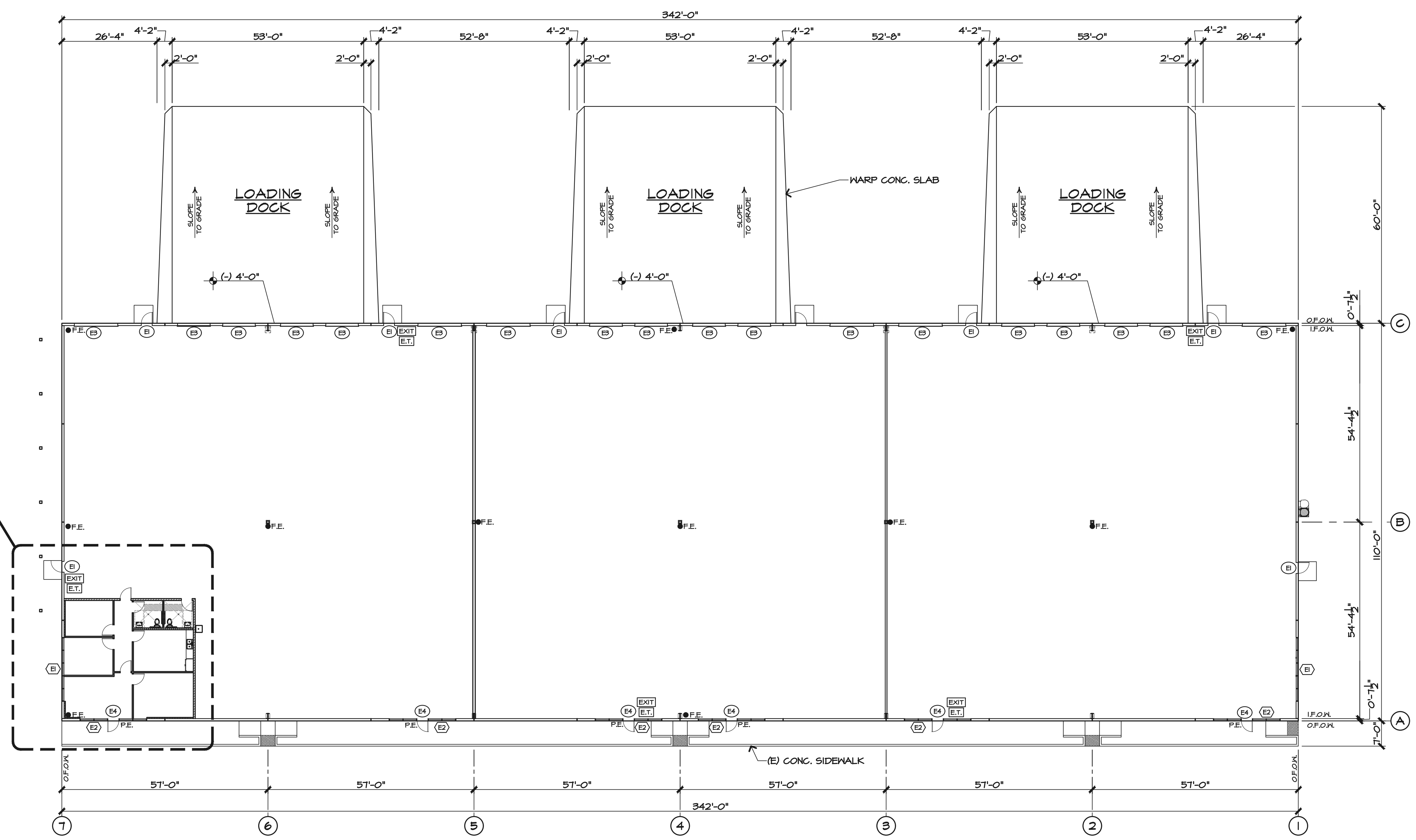


NOTE:
 FOR GENERAL, ACCESSIBLE, FIRE AND SITE NOTES - SEE SHEET A-1.1
 FOR SITE DETAILS - SEE SHEET A-1.2

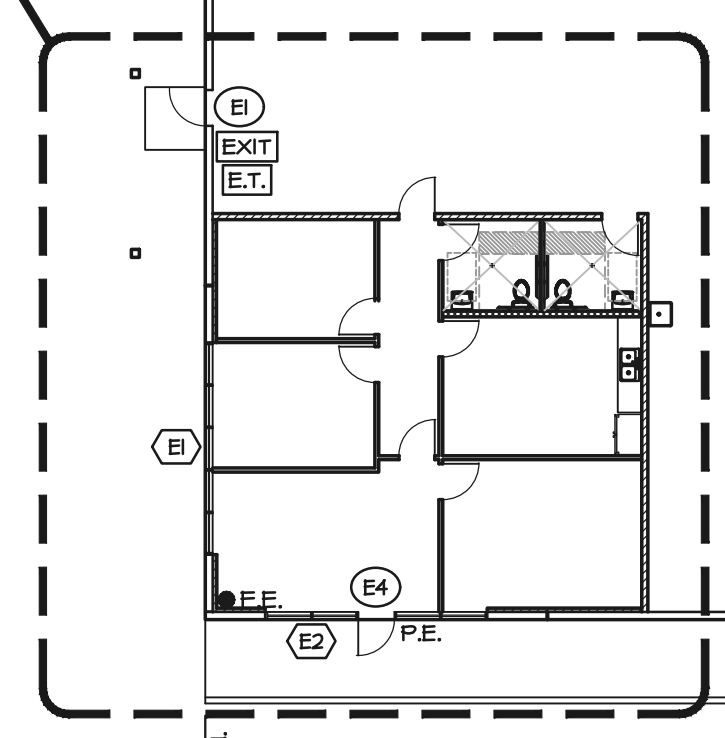
LEGEND:
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MASTER SITE DEVELOPMENT PLAN



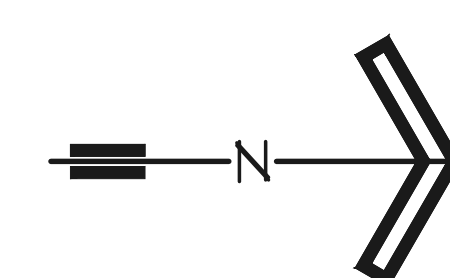
SEE SHEET A-2.1 FOR PARTIAL FLOOR PLAN



GENERAL FLOOR PLAN NOTES :

- ALL REQUIRED EGRESS DOORS SHALL BE READILY OPENABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE OR EFFORT. (CBC 10101.4)
- ALL DOOR OPENING HARDWARE SHALL BE EITHER LEVER, PANIC, PUSH/PULL OR A SIMILAR TYPE.
- PROVIDE INTERNATIONAL SYMBOL OF ACCESSIBILITY (DECAL) AT MAIN ENTRANCE DOOR (5' SQ.). SEE DETAIL 1/A-7.
- SAFETY GLASS: EACH UNIT OF TEMPERED GLASS SHALL BE PERMANENTLY IDENTIFIED BY THE MANUFACTURER. THE IDENTIFICATION SHALL BE ETCHED OR CERAMIC FIRED ON THE GLASS AND BE VISIBLE WHEN THE UNIT IS GLAZED. TEMPERED SPANDREL GLASS IS EXEMPTED FROM PERMANENT LABELING BUT SUCH GLASS SHALL BE IDENTIFIED BY THE MANUFACTURER WITH A REMOVABLE PAPER LABEL. PROVIDE SAFETY GLASS AT THE FOLLOWING LOCATIONS.
 - WINDOWS ADJACENT TO A DOOR, WHERE EXPOSED EDGE IS WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR.
 - ALL GLASS IN DOORS.
- VERIFY ROUGH OPENING SIZES FOR ALL DOORS AND WINDOWS AND COORDINATE WITH SUPPLIER.
- GENERAL CONTRACTOR IS TO VERIFY ALL DOOR SIZES (INCLUDING SL. GL. DRS.) PRIOR TO ORDERING
- WINDOW SIZE ARE SHOWN ON PLANS, IN ACCORDANCE WITH ARCH. MANUF. ASSOC. STDS. UNLESS OTHERWISE NOTED ON PLANS
- WEATHER STRIP ALL EXTERIOR DOORS
- MAXIMUM LANDING SLOPE SHALL BE 1/4" PER FOOT IN ANY DIRECTION
- FOR TYPICAL HANDICAP AND ARCHITECTURAL DETAILS SEE SHEET A-7.
- THE COLOR AND DESIGN OF LETTERING, ARROWS AND OTHER SYMBOLS ON EXIT SIGNS SHALL BE IN HIGH CONTRAST WITH THEIR BACKGROUND. WORDS ON THE SIGN SHALL BE IN BLOCK LETTERS 6" IN HEIGHT WITH A STROKE OF NOT LESS THAN 3/4". SIGNS SHALL BE INTERNALLY ILLUMINATED OR SHALL BE OF AN APPROVED SELF-LUMINOUS TYPE. WHEN THE LUMINANCE ON THE FACE OF AN EXIT SIGN IS FROM AN EXTERNAL SOURCE, IT SHALL HAVE AN INTENSITY OF NOT LESS THAN 5.0 FOOTCANDLES FROM EITHER LAMP. INTERNALLY ILLUMINATED SIGNS SHALL PROVIDE EQUIVALENT LUMINANCE. MIN. 90 MINUTE BACK-UP POWER REQUIRED.
- USE MINIMUM 60" X 60" LANDING AT ALL EXTERIOR DOORS SWINGING ONTO LANDING AND A 48" X 48" LANDING AT A DOOR THAT SWINGS AWAY FROM LANDING. MAXIMUM SLOPE OF 2%. DOOR LANDINGS SHALL HAVE A SURFACE THAT IS STABLE, FIRM, AND SLIP RESISTANT. SLOPE AT LANDINGS TO BE 1:48 (2% SLOPE) MAX. IN ANY DIRECTION. CHANGES IN LEVEL OTHER THAN THE 1/4" HIGH MAX. CHANGE IN LEVEL AT DOOR THRESHOLD ARE NOT PERMITTED. (CBC 2016 SECTION IIB-302.1 AND IIB-404.2.4.4)
- COORDINATE ROOM FINISHES W/ OWNER
- PROVIDE MINIMUM 2A:10B.C PORTABLE FIRE EXTINGUISHERS (PER NFPA 10). ONE EXTINGUISHER IS REQUIRED FOR EACH 3,000 SQ. FT. OR PORTION OF FLOOR SPACE, WITH TRAVEL DISTANCE NOT TO EXCEED 75 FT. UPON TENANT IMPROVEMENT, PORTABLE FIRE EXTINGUISHERS LOCATIONS SHALL BE SHOWN ON PLANS. 2016 CFC, SECTION 1006.3.
- THE ADDRESS SHALL BE POSTED ON THE BUILDING SO THAT IT IS PLAINLY VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY.
- PROVIDE A READILY VISIBLE, DURABLE SIGN POSTED ON THE EGRESS SIDE OR ADJACENT TO THE MAIN EXIT DOOR STATING "THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED". THE SIGN SHALL BE IN (1) INCH HIGH LETTERS ON A CONTRASTING BACKGROUND. (CBC 2016 SECTION 1010.1.9.3.2.2)
- PROVIDE AN EMERGENCY SOURCE OF POWER FOR EXIT ILLUMINATION PER (2016 CBC SECTION 1006.3 AND 1015.3)
- THE PATH OF TRAVEL TO ANY EXIT SHALL NOT BE BLOCKED. (2016 CBC SECTION 1003.6)
- A PERMANENT SUITE NUMBER SHALL BE POSTED AT THE ENTRY TO THE SUITE BEFORE THE FIRE DEPARTMENT WILL GRANT "SAFE TO OCCUPY".
- COORDINATE EXACT LOCATION OF WALK DOORS WITH THE OWNER AND CONTRACTOR.
- INTERNATIONAL "NO SMOKING" SYMBOL IN RED OR 1 INCH HIGH LETTERS SAYING "NO SMOKING". THE SIGN SHALL BE A MINIMUM OF 40 SQUARE INCHES IN SIZE AND LOCATED 60 INCHES ABOVE THE FINISHED FLOOR.
- MANUALLY OPERATED FLUSH BOLTS OR SURFACE BOLTS ARE PROHIBITED.
- THE UNLATCHING OF ANY DOOR OR LEAF SHALL NOT REQUIRE MORE THAN ONE OPERATION.
- DOOR HANDLES, PULLS, LATCHES, LOCKS AND OTHER OPERATING DEVICES SHALL BE INSTALLED 34 INCHES MINIMUM AND 44 INCHES MAXIMUM ABOVE THE FINISH FLOOR AND SHALL NOT REQUIRE TIGHT GRASPING, TIGHT FINGERING OR TWISTING OF THE WRIST TO OPERATE. THE FORCE REQUIRED TO ACTIVATE OPERABLE PARTS SHALL BE 5 POUNDS MAX. (2016 CBC SECTION IIB-304.4 AND IIB-404.2.7)
- NO THUMB LATCHES OR KEYED CYLINDER DEAD BOLTS ALLOWED ON ANY DOORS ALLOWED UNLESS OPERATED BY A SINGLE ACTION WITH A LEVER FROM THE INSIDE OF THE AREA SERVED. (2016 CBC)
- EXIT DOORS USED AS PAIRS WITH APPROVED AUTOMATIC FLUSH BOLTS SHALL NOT HAVE DOOR KNOBS OR SURFACE-MOUNTED HARDWARE ON THE INACTIVE LEAF.
- SIGNS WITH RAISED CHARACTERS AND BRAILLE SHALL BE LOCATED 48" MINIMUM ABOVE THE FLOOR OR GROUND SURFACE, MEASURED FROM THE BASELINE OF THE LOWEST LINE OF BRAILLE AND 60" MAXIMUM ABOVE THE FLOOR OR GROUND SURFACE, MEASURED FROM THE BASELINE OF THE HIGHEST LINE OF RAISED CHARACTERS. MOUNTING LOCATION SHALL BE SUCH THAT A PERSON MAY APPROACH WITHIN 3' OF THE SIGNAGE WITHOUT ENCOUNTERING PROTRUDING OBJECTS OR STANDING WITHIN THE SWING OF THE DOOR.

- LEGEND :**
- EXISTING 1/2" CONG. TILT-UP WALL
 - PROPOSED 6" WOOD STUD WALL
 - PROPOSED 8" METAL STUD WALL
 - XX DOOR MARK - SEE SCHEDULE SHEET A-6
 - XX WINDOW MARK - SEE SCHEDULE SHEET A-6
 - O.F.O.W. OUTSIDE FACE OF WALL
 - I.F.O.W. INSIDE FACE OF WALL
 - P.E. INDICATES "PRIMARY ENTRANCE"
 - EXIT INDICATES ILLUMINATED EXIT SIGN SEE ELECTRICAL PLANS
 - ET INDICATES TACTILE EXIT SIGN SEE DETAIL 2/A-7
 - FA INDICATES FIRE ACCESS DOORS
 - F.E. FIRE EXTINGUISHER - SEE NOTE #14 ON SHEET A-2



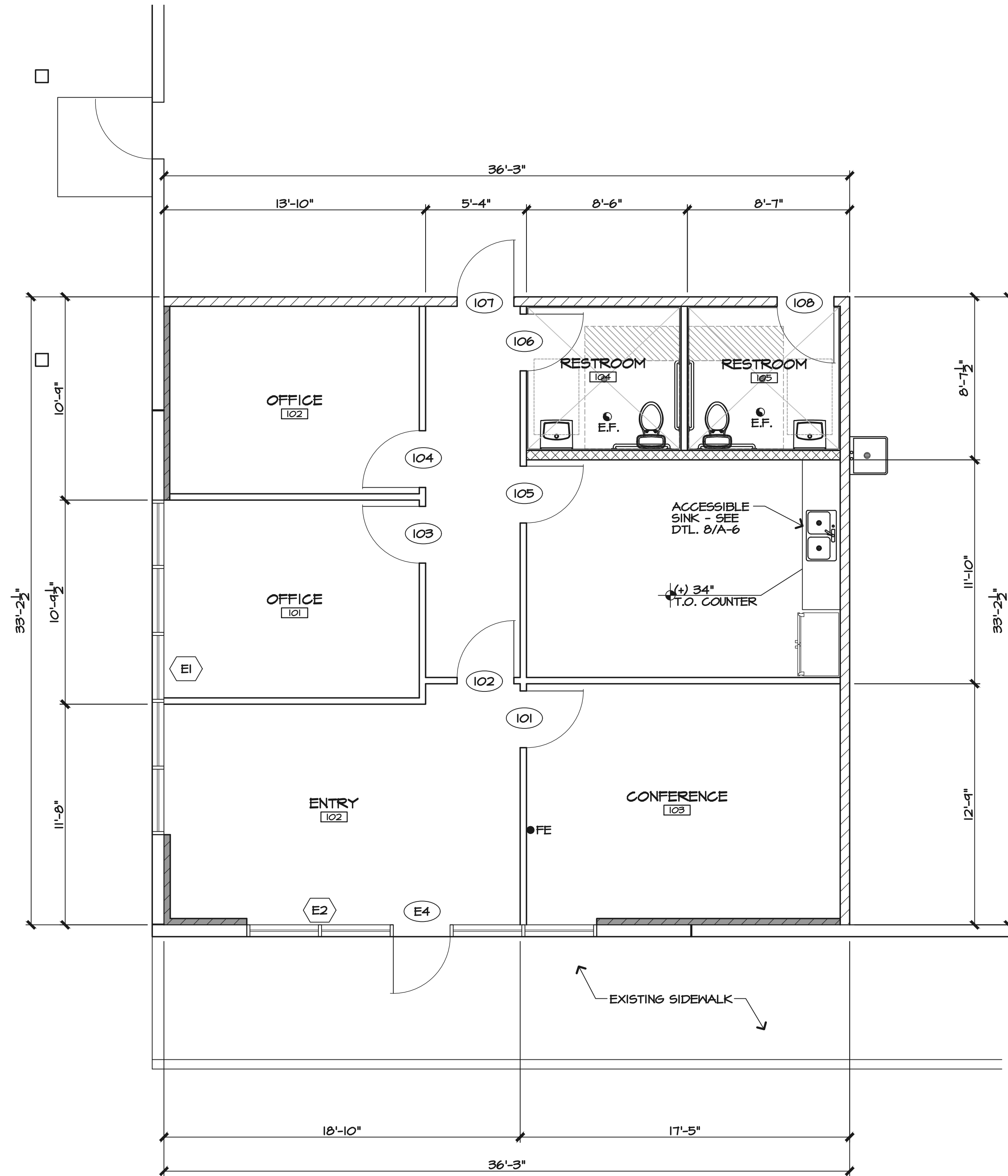
BUILDING COORDINATION PLAN

No.	Issue/Revision	Date

Date	09/12/19
Scale	1/16" = 1'-0"
Dr. By	D. FIELD
Job No.	2019.146
Dwg. No.	19196BCP
Sheet	A-2
Revision No.	

GENERAL FLOOR PLAN NOTES :

- ALL REQUIRED EGRESS DOORS SHALL BE READILY OPENABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE OR EFFORT. (CBC 2016 SECTION 1010.1.4)
- ALL DOOR OPENING HARDWARE SHALL BE EITHER LEVER, PANIC, PUSH/PULL OR A SIMILAR TYPE.
- PROVIDE INTERNATIONAL SYMBOL OF ACCESSIBILITY (DECAL) AT MAIN ENTRANCE DOOR (5' SQ.). SEE DETAIL 1/A-6.
- SAFETY GLASS:
EACH UNIT OF TEMPERED GLASS SHALL BE PERMANENTLY IDENTIFIED BY THE MANUFACTURER. THE IDENTIFICATION SHALL BE ETCHED OR CERAMIC FIRED ON THE GLASS AND BE VISIBLE WHEN THE UNIT IS GLAZED. TEMPERED SPANDREL GLASS IS EXEMPTED FROM PERMANENT LABELING BUT SUCH GLASS SHALL BE IDENTIFIED BY THE MANUFACTURER WITH A REMOVABLE PAPER LABEL. PROVIDE SAFETY GLASS AT THE FOLLOWING LOCATIONS.
A. WINDOWS ADJACENT TO A DOOR, WHERE EXPOSED EDGE IS WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR.
B. ALL GLASS IN DOORS.
- VERIFY ROUGH OPENING SIZES FOR ALL DOORS AND WINDOWS AND COORDINATE WITH SUPPLIER.
- GENERAL CONTRACTOR IS TO VERIFY ALL DOOR SIZES (INCLUDING SL. GL. DRG.) PRIOR TO ORDERING
- WINDOW SIZE ARE SHOWN ON PLANS, IN ACCORDANCE WITH ARCH. MANUF. ASSOC. STDS, UNLESS OTHERWISE NOTED ON PLANS
- WEATHER STRIP ALL EXTERIOR DOORS
- MAXIMUM LANDING SLOPE SHALL BE 1/4" PER FOOT IN ANY DIRECTION
- FOR TYPICAL ACCESSIBLE AND ARCHITECTURAL DETAILS SEE SHEETS A-2.2, A-6, A-7, A-8, AND A-9
- THE COLOR AND DESIGN OF LETTERING, ARROWS AND OTHER SYMBOLS ON EXIT SIGNS SHALL BE IN HIGH CONTRAST WITH THEIR BACKGROUND. WORDS ON THE SIGN SHALL BE IN BLOCK LETTERS 6" IN HEIGHT WITH A STROKE OF NOT LESS THAN 3/4". SIGNS SHALL BE INTERNALLY ILLUMINATED OR SHALL BE OF AN APPROVED SELF-LUMINOUS TYPE. WHEN THE LUMINANCE ON THE FACE OF AN EXIT SIGN IS FROM AN EXTERNAL SOURCE, IT SHALL HAVE AN INTENSITY OF NOT LESS THAN 5.0 FOOT-CANDLES FROM EITHER LAMP. INTERNALLY ILLUMINATED SIGNS SHALL PROVIDE EQUIVALENT LUMINANCE. MIN. 90 MINUTE BACK-UP POWER REQUIRED.
- USE MINIMUM 60" X 60" LANDING AT ALL EXTERIOR DOORS SWINGING ONTO LANDING AND A 48" X 48" LANDING AT A DOOR THAT SWINGS AWAY FROM LANDING. MAXIMUM SLOPE OF 2%.
DOOR LANDINGS SHALL HAVE A SURFACE THAT IS STABLE, FIRM, AND SLIP RESISTANT. SLOPE AT LANDINGS TO BE 1:48 (2% SLOPE) MAX. IN ANY DIRECTION. CHANGES IN LEVEL OTHER THAN THE 1/2" HIGH MAX. CHANGE IN LEVEL AT DOOR THRESHOLD ARE NOT PERMITTED. (CBC 2016 SECTION 11B-302.1 AND 11B-404.2.4.4)
- COORDINATE ROOM FINISHES W/ OWNER
- PROVIDE MINIMUM 2A:10B:1C PORTABLE FIRE EXTINGUISHERS (PER NFPA 10). ONE EXTINGUISHER IS REQUIRED FOR EACH 3,000 SQ. FT. OR PORTION OF FLOOR SPACE. WITH TRAVEL DISTANCE NOT TO EXCEED 75 FT. UPON TENANT IMPROVEMENT, PORTABLE FIRE EXTINGUISHERS LOCATIONS SHALL BE SHOWN ON PLANS. 2016 CFC, SECTION 906.3.
- THE ADDRESS SHALL BE POSTED ON THE BUILDING SO THAT IT IS PLAINLY VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY.
- PROVIDE A READILY VISIBLE, DURABLE SIGN POSTED ON THE EGRESS SIDE OR ADJACENT TO THE MAIN EXIT DOOR STATING "THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED". THE SIGN SHALL BE IN (1) INCH HIGH LETTERS ON A CONTRASTING BACKGROUND. (CBC 2016 SECTION 1010.1.4.3.2.2)
- PROVIDE AN EMERGENCY SOURCE OF POWER FOR EXIT ILLUMINATION PER (2016 CBC SECTION 1008.3, AND 1013.6.3)
- THE PATH OF TRAVEL TO ANY EXIT SHALL NOT BE BLOCKED. (2016 CBC SECTION 1008.6)
- PROVIDE WATER-PROOF GYP. BD. BEHIND WATER-PROOF PANELS IN RESTROOMS.
- THE LEVER OF LEVER ACTUATED LATCHES OR LOCKS SHALL BE CURVED WITH A RETURN TO WITHIN 1/2" OF THE DOOR TO PREVENT CATCHING ON CLOTHING OF PERSONS DURING EGRESS. CBC 1010.1.4.1, CA REFERENCED STANDARDS CODE, 12-10-202
- A 30"x48" CLEAR FLOOR SPACE TO ALLOW A FORWARD APPROACH WITH 27" HIGH X 30" WIDE X 19" DEEP CLEAR KNEE SPACE UNDER THE BREAK ROOM SINK. SINK MUST BE CENTERED IN THE CABINET SPACE AND A MAXIMUM OF 6 1/2" DEEP WITH THE COUNTER OF THE SINK RIM 34" MAX. ABOVE THE FLOOR. WATER AND DRAIN PIPES MUST BE WRAPPED AND THERE SHALL BE NO SHARP OR ABRASIVE SURFACES UNDER THE SINK. INDICATE FINISHED FLOOR AND CABINET END PANELS UNDER THE SINK. SPECIFY FAUCET CONTROLS. (2016 CBC 11B-305, 306, 606.2, AND 606.3)
- MANUALLY OPERATED FLUSH BOLTS OR SURFACE BOLTS ARE PROHIBITED.
- THE UNLATCHING OF ANY DOOR OR LEAF SHALL NOT REQUIRE MORE THAN ONE OPERATION.
- DOOR HANDLES, PULLS, LATCHES, LOCKS AND OTHER OPERATING DEVICES SHALL BE INSTALLED 34 INCHES MINIMUM AND 44 INCHES MAXIMUM ABOVE THE FINISH FLOOR AND SHALL NOT REQUIRE TIGHT GRASPING, TIGHT PINCHING OR TWISTING OF THE WRIST TO OPERATE. THE FORCE REQUIRED TO ACTIVATE OPERABLE PARTS SHALL BE 5 POUNDS MAX. (2016 CBC SECTION 11B-309.4 AND 11B-404.2.7)
- NO THUMB LATCHES OR KEYED CYLINDER DEAD BOLTS ALLOWED ON ANY DOORS ALLOWED UNLESS OPERATED BY A SINGLE ACTION WITH A LEVER FROM THE INSIDE OF THE AREA SERVED. (2016 CBC)



LEGEND :

- INDICATES 1/2" EXISTING CONCRETE WALL
- PROPOSED 2x6 WOOD STUDS AT 16" O.C. W/ 1/2" GYP. BD. EA. SIDE W/ R-19 INSULATION
- PROPOSED 3585125-30 (20 GA.) METAL STUDS AT 24" O.C. W/ 1/2" GYP. BD. EA. SIDE
- PROPOSED 3585125-30 (20 GA.) METAL STUDS AT 24" O.C. W/ 1/2" GYP. BD. W/ R-13 INSULATION
- DOOR MARK - SEE SCHEDULE ON SHEET A-5
- WINDOW MARK - SEE SCHEDULE ON SHEET A-5
- ROOM FINISH MARK - SEE SCHEDULE ON SHEET A-5
- INDICATES ILLUMINATED EXIT SIGN
- INDICATES TACTILE EXIT SIGN - SEE DETAIL 2/A-6
- PORTABLE FIRE EXTINGUISHERS PER NFPA-10, 2A:10:BC (MAXIMUM 75-FOOT TRAVEL DISTANCE FROM ANY POINT IN THE BUILDING).
- EXHAUST FAN - MUST PROVIDE 5 AIR CHANGES PER HOUR AND CONNECT DIRECTLY TO THE OUTSIDE W/ THE POINT OF DISCHARGE AT LEAST 3 FEET FROM DOORS AND WINDOWS. RESTROOMS CONTAINING ONLY A WATER CLOSET AND LAVATORY MAY BE VENTILATED W/ AN APPROVED RECIRCULATING FAN THAT REMOVES ODORS FROM THE AIR.
- 30 GAL. ELECTRICAL WATER HEATER OVER RESTROOM CEILING - SEE DETAIL 3/A-6

NOTE :

SEE SHEET A-2.2 FOR RESTROOM DIMENSION PLAN

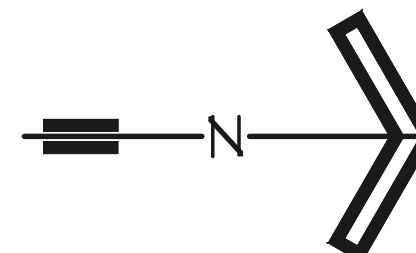
DESIGNED BY
GMA
 GERALD MELE & ASSOCIATES, INC.
 7337 N. FIRST ST., SUITE 110 FRESNO, CA 93720 (509)435-1111 FAX (509)435-1189
 CONSULTING ENGINEERS AND ARCHITECTS

PROJECT
FREEDOM MULTI-TENANT BUILDING 'B' T.I.
 1425 INDEPENDENCE DRIVE, SUITE ---
 MADERA, CA 95351

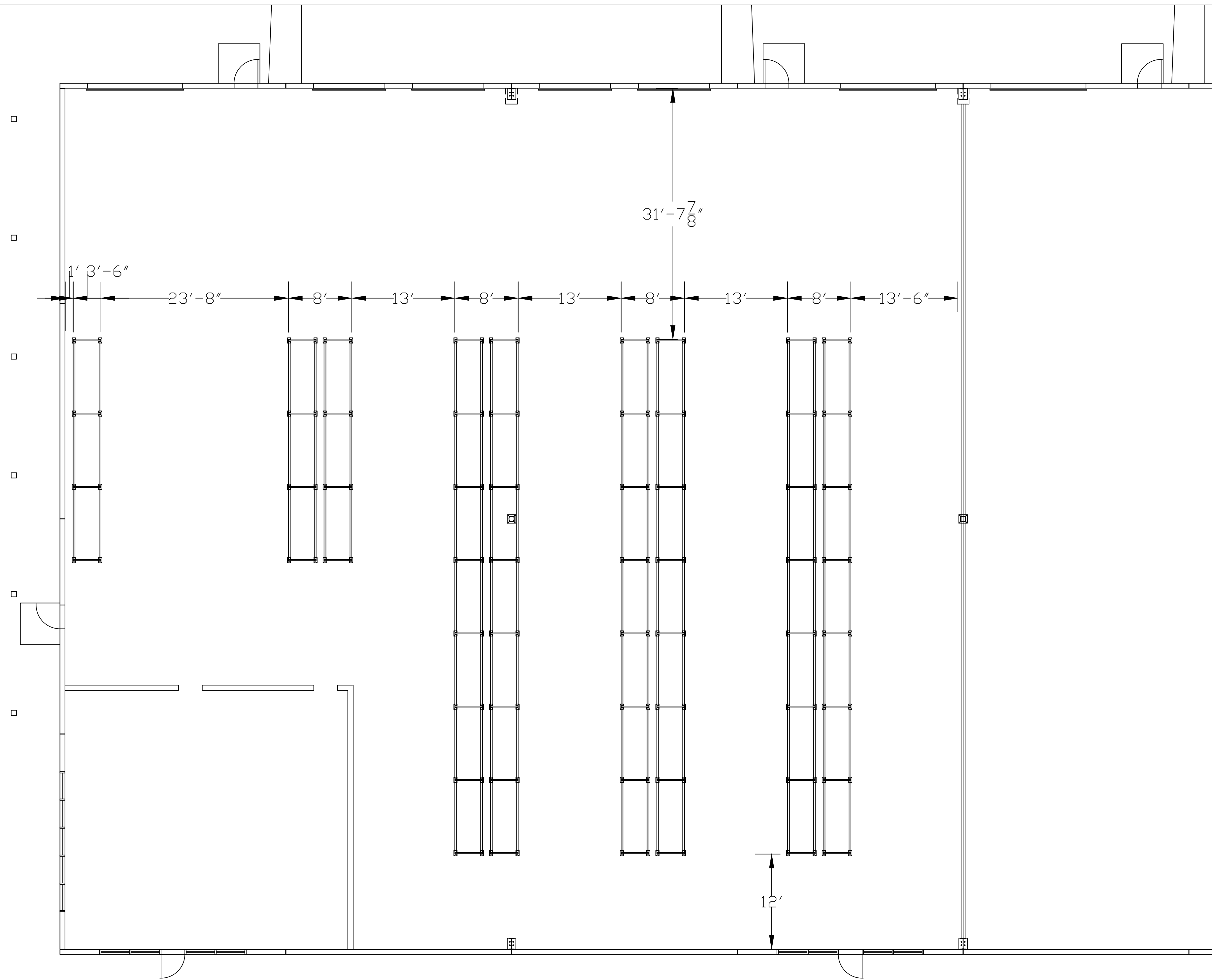
PROPOSED PROJECT FOR
SPAN DEVELOPMENT
 1841 HOWARD ROAD
 MADERA, CALIFORNIA 95357
 CONTR. LIC. # 358583

No.	Issue/Revision	Date

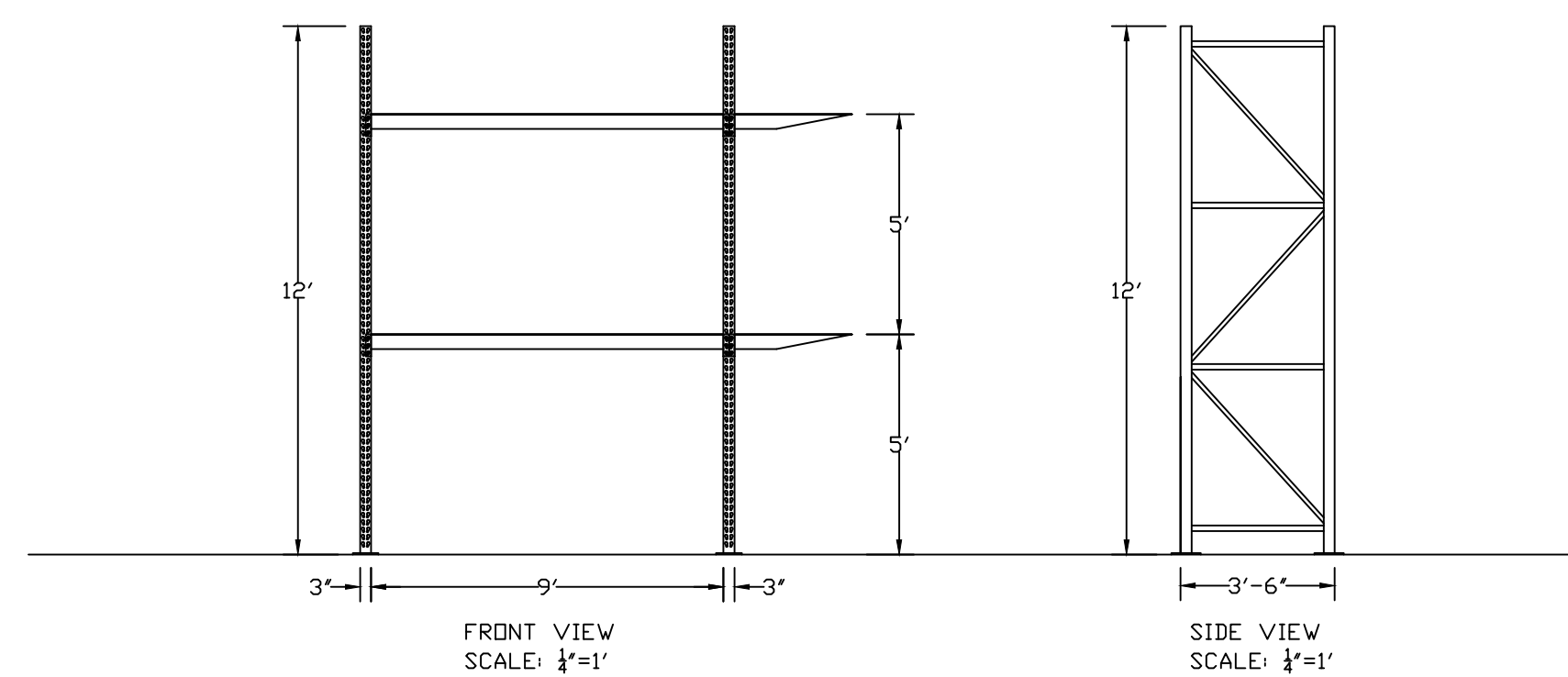
Date	09/12/19
Scale	1/4" = 1'-0"
Dr. By	D. FIELD
Job No.	2019.146
Dwg. No.	19196PPP
Sheet	A-2.1
Revision No.	



PARTIAL FLOOR PLAN



TOP VIEW
SCALE: $\frac{1}{8}''=1'$



REVISIONS:

Larry Fisher & Sons
Storage Systems and Material Handling Equipment
Fresno 5242 East Home Fresno, CA 93727
Stockton 559-252-2575 800-338-3537 Toll Free
Bakersfield 559-252-6356 Fax
Los Angeles County FisherandSons@aol.com
Orange County
San Diego County

DRAWING FOR:
U.S. WATER
1963 Independence Dr.
Madera, CA 93637

DATE:
09-20-19

SCALE:
AS NOTED

DRAWN BY:
CHADWICK

JOB:

Attachment 4: Hazardous Materials Storage List

Warehouse Level

Location	Name	Item Number	Description	Base Unit of Measure	Reorder Point	Maximum Inventory	Quantity on Hand
	U.S. Water Services Inc., Madera Distribution Center						
		BT0079-5	447 LM (5)	LB	111.	220.	165.
		BT0079-55-2	447 LM (55)	LB	625.	1,248.	1,248.
		BT0105-55	ALKAPRO 25 (55)	LB	1.	572.	572.
		CM0046-55	AMMONIUM SULFATE 40% NSF (55)	LB	2,241.	4,480.	3,920.
		TR11052-300	BIOSIDE HS 15% WHITE SAFETY FEED (300)	LB	0.	0.	5,682.
		TR11052-55	BIOSIDE HS 15% NO SAFETY FEED (55)	LB	0.	0.	500.
		BI0001-55	BIOTROL 102 (55)	LB	0.	0.	472.
		BI0024-55	BIOTROL 115 (55)	LB	5,001.	10,000.	11,000.
		BI0090-15	BIOTROL 12.5 (15)	LB	0.	0.	145.
		BI0090-55	BIOTROL 12.5 (55)	LB	5,351.	6,420.	4,815.
		BI0064-55	BIOTROL 140 (55)	LB	1,293.	2,584.	1,938.
		BI0032-300	BIOTROL 150 (300)	LB	0.	0.	14,205.
		BI0032-55	BIOTROL 150 NO SAFETY FEED (55)	LB	12,501.	20,000.	6,500.
		BI0034-5	BIOTROL 407 (5)	LB	902.	1,537.	1,537.
		BI0034-55	BIOTROL 407 (55)	LB	2,281.	3,420.	1,140.
		BI0002-55	BIOTROL 515 (55)	LB	0.	0.	475.

Warehouse Level

BI0003-05	BIOTROL 550 (5)	LB	941.	1,880.	1,175.
BI0003-55	BIOTROL 550 (55)	LB	1,035.	2,068.	1,551.
BI0004	BIOTROL BT (PAIL)	LB	501.	1,000.	1,350.
BI0078-264	BLUMAXX (264)	LB	0.	0.	8,100.
BI0078-55	BLUMAXX (55)	LB	0.	0.	1,120.
BT0003-275-2	BOILER MP PLUS (275)	LB	0.	0.	2,750.
SP0082-CS	BOILERPRO COMPLETE (CS)	LB	0.	0.	384.
BT0001-55	BWT 102L (55)	LB	0.	0.	1,064.
BT0048-275-3	BWT 104 (275)	LB	0.	0.	2,950.
BT0009-55	BWT 1812 (55)	LB	1,720.	2,865.	2,865.
BT0018-55	BWT 2751 (55)	LB	1.	508.	508.
BT0021-5	BWT 278 (5)	LB	0.	0.	784.
BT0132-15	BWT 364 (15)	LB	1.	140.	140.
BT0161-55	BWT 367 (55)	LB	1.	519.	0.
BI0077	CALCIUM HYPOCHLORITE TABLETS (PAIL)	LB	0.	0.	500.
FT0007-330	CORRPRO 656 (330)	LB	4,653.	6,978.	11,630.
FB0034-55	DEFOAM 440 NGMO (53)	LB	0.	0.	1,700.
TR11057-5	DEPRESS 330 (5)	LB	0.	0.	100.

Warehouse Level

CL0095-55-2	DRIPKLEEN 30 (55)	LB	13,651.	22,932.	18,018.
BI0120-50	DRYTEC FG BRIQUETTES (50)	LB	0.	0.	9,200.
SP0087-CS	DUROCID C100G (CS)	LB	0.	0.	40.
TR11216-300	FLOOR GUARD (300LB)	LB	0.	0.	900.
TR11153-55	FORCE 9 (55)	LB	0.	0.	17,024.
TR11151-5	FORCE A3 (5)	LB	0.	0.	51.
TR11151-55	FORCE A3 (55)	LB	0.	0.	560.
TR11217-55	FORCE K-98 (55)	LB	0.	0.	1,060.
TR11112-55	HASA AURA KLOR (55)	LB	0.	0.	4,000.
BI0133-50	HYDROLOGY CALCIUM HYPOCHLORITE BRIQUETTES (50)	LB	0.	0.	36,000.
BI0158-55	K BAC 7015 (55)	LB	441.	880.	880.
GE0031-5	KLEEN MCT103 (5)	LB	0.	0.	1,155.
GE0032-5	KLEEN MCT511 (5)	LB	0.	0.	1,056.
BI0069-15	LA CHEMCHLOR (15)	LB	421.	840.	1,400.
BI0069-275	LA CHEMCHLOR (275)	LB	0.	0.	2,750.
BI0069-55	LA CHEMCHLOR (55)	LB	2,651.	4,770.	4,240.
CL0094-55	LINEKLEEN 250 (55)	LB	0.	0.	6,720.
WT0132-275	MEGAFLOC 3601G (275)	LB	0.	0.	2,300.

Warehouse Level

WT0039-275	MEGAFLOC 4201G (275)	LB	1.	2,315.	0.
WT0097-5	MEGAFLOC 4224 GR (5)	LB	0.	0.	420.
WT0064-275	MEGAFLOC 484 (275)	LB	0.	0.	2,300.
WT0194-275	MEGAFLOC 8634P (275)	LB	1.	2,900.	2,900.
WT0002-275-3	MEGAFLOC 891 (275)	LB	0.	0.	3,000.
WT0002-55-2	MEGAFLOC 891 (55)	LB	3,000.	6,000.	3,600.
CL0108-275	OXY-KLEEN (265)	LB	5,081.	10,160.	10,160.
CL0108-55-2	OXY-KLEEN (55)	LB	81,001.	121,500.	84,780.
TR11058-55	PERASAN A (55)	LB	0.	0.	500.
TR11244-55	PHOSPHORIC ACID 24% (55)	LB	0.	0.	4,040.
CT0274-55	PHOSZERO 1500 (55)	LB	1.	518.	518.
BT0174-275	POTASSIUM HYDROXIDE 45% (275)	LB	0.	0.	10,050.
TR11051	PREVENTABS 2 (CASE)	LB	0.	0.	11.
CL0052-275	PROCLEAN 200 (275)	LB	0.	0.	6,750.
CT0101-55CLR	PROCORR 1438 (55) CLEAR DRUM	LB	626.	1,250.	1,250.
CT0112-55	PROTECT 214 (55)	LB	1.	476.	476.
BI0109-5	RESGUARD (5)	LB	0.	0.	45.
BI0109-55	RESGUARD (55)	LB	13,501.	21,600.	14,580.

Warehouse Level

BT0036-30	RLT 35 (30)	LB	0.	0.	247.
BT0036-55	RLT 35 (55)	LB	1,360.	2,718.	1,359.
BT0101-55	RLT 44 (55)	LB	1.	441.	882.
RT0003G-55	RO 503 (55)	LB	1.	485.	0.
TR11103-55	SAFE ACID UMH (55)	LB	2,726.	5,450.	5,450.
CM0008	SODIUM PERCARBONATE (BAG)	LB	0.	0.	8,855.
TR11105-55	SULFURIC ACID 93% (55)	LB	3,751.	7,500.	9,750.
TR11148-55	SURE SOLV 2 (55)	LB	0.	0.	3,290.
CT0165-55	TOWER MP 510 (55)	LB	0.	0.	2,088.
CT0084-30-2	TOWER MP 523 PLUS (30)	LB	1.	272.	272.
CT0103-55	TOWER MP 530 (55)	LB	0.	0.	508.
CT0154-55	TOWERASSURE A5000 (55)	LB	1.	642.	642.
CT0152-30-2	TOWERASSURE A530 (30)	LB	0.	0.	302.
CT0296-55-2	TOWERASSURE A565 (55)	LB	1,063.	2,124.	1,593.
CT0320-55	TOWERASSURE A572 (55)	LB	1.	508.	508.
CT0263-5	TOWERASSURE A580 (5)	LB	461.	690.	322.
CT0263-55	TOWERASSURE A580 (55)	LB	2,501.	5,000.	1,500.
CT0246-5	TOWERASSURE A6055 (5)	LB	841.	1,512.	1,064.

Warehouse Level

CT0246-55	TOWERASSURE A6055 (55)	LB	1,231.	1,845.	2,460.
CT0179-15	TOWERASSURE A636 (15)	LB	0.	0.	157.
SP0089-CS	TOWERPRO 300 DISK (CS)	LB	0.	0.	40.
SP0107-CS	TOWERPRO 400-TD (CS)	LB	1.	200.	280.
SP0099-CS	TOWERPRO 500 DISK (CS)	LB	0.	0.	40.
TR-10985-55	TRITON 3134 (55)	LB	0.	0.	2,982.
TR11196-55	TRITON 4220 (55)	LB	0.	0.	630.
TR-10981-30	TRITON 5105 (30)	LB	0.	0.	3,454.
TR-10982-30	TRITON 5215 (30)	LB	0.	0.	2,992.
TR11065-55	TRITON 5550 (55)	LB	0.	0.	1,800.
TR11165-55	TRITON T2324 (55)	LB	0.	0.	495.
CL0100-275	WELLGUARD 300 (275)	LB	0.	0.	2,351.
W0138-30	ZEBION 50 (30)	LB	0.	0.	2,088.

291,967. **404,120.**

Based on current Min/Max levels this is what would be normal stocking levels based on the criteria

Total Inventory currently stored in Fresno - will be moved to US Water Services Inc. - Madera Site