

**CITY OF MADERA PLANNING COMMISSION
REGULAR MEETING
January 8, 2019**

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

ROLL CALL

PRESENT: Commissioner Robert Gran Jr. (Chairperson)
Commissioner Israel Cortes (Vice Chairperson)
Commissioner Ramon Lopez-Maciel
Commissioner Bruce Norton
Commissioner Kenneth Hutchings
Commissioner Pamela Tyler
Commissioner Richard Broadhead

ABSENT: None

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

PLEDGE: Chairperson Robert Gran, Jr. led the Pledge of Allegiance.

PUBLIC COMMENT: None

MINUTES: November 13, 2018

Commissioner Hutchings moved to approve Motion to approve the November 13, 2018 Minutes, seconded by Commissioner Norton. The motion carried unanimously.

NON-PUBLIC HEARING ITEMS:

NP-1. Election of Chairperson and Vice-Chairperson for 2019

Chairperson Gran, Jr. discussed moving this item to the February 12, 2019 Planning Commission hearing. Commissioner Norton moved to continue the item to the February 12, 2019 Planning Commission hearing, seconded by Commissioner Hutchings. The motion carried unanimously.

CONSENT ITEMS:

C-1. GPC 2018-04 – Sale of Malone Street Properties

Finding of General Plan Conformity and Environmental Determination for the potential sale of five (5) properties located at the southeast corner of Malone Street and Washington Avenue.

Commissioner Lopez-Maciel asked if it is typical for the City to sell properties.

Mr. Boyle responded that when the former Redevelopment Agency (RDA) has either purchased or dispensed of property, the Planning Commission is required to make findings of General Plan conformance and an environmental determination related to impacts associated with the sale of said property.

Mr. Richardson added that the former RDA is required to dispose of all properties they own.

Commissioner Hutchings moved to approve Item C-1, seconded by Commissioner Norton. The motion carried unanimously.

C-2: SPR 2009-21 EXT 5 – Foxglove Shopping Center Extension

A request for extension of an approved site plan review and various conditional use permits in support of the development of a retail shopping center to be located on the southeast corner of Schnoor Avenue and Foxglove Way.

Commissioner Lopez-Maciell asked if the developer is committed to the development of the shopping center now that it is on its sixth extension.

Mr. Boyle responded that the City is committed to the development and provided details of the shopping center development. Mr. Boyle added that as the developers continue to work towards finding tenants for the shopping center, the City is in support of the extension.

Commissioner Norton moved to approve Item C-2, seconded by Vice Chairperson Cortes. The motion carried unanimously.

PUBLIC HEARING ITEMS:

1. REZ 2018-07, GPA 2018-05 & PPL 2018-06 – Rai Apartment Complex

A noticed public hearing to consider a rezone from PD-3000 (Planned Development) to the PD-1500 (Planned Development) Zone District, a General Plan amendment from MD (Medium Density) to the HD (High Density) General Plan land use designation and a precise plan that provides for the development of a 138-unit apartment complex on properties located at the northwest corner of the intersection of Barnett Way and Gary Lane. A Mitigated Negative Declaration will also be considered by the Planning Commission (APN's: 012-253-002, 012-270-001 & 012-270-002).

Christopher Boyle presented the item.

Chairperson Gran, Jr. asked if there will be gates for the complex and if there is enough room for vehicles with the placement of the gates.

Mr. Boyle responded that there will be gates installed on all entrances of the complex.

Mr. Helmuth added that the placement of the gates is sufficient for vehicles to queue without creating a traffic issue because of the low volume traffic on the streets, but staff could relocate the gates to create more room for vehicles if the Commission desired.

Chairperson Gran, Jr. asked about more details on the lounge rooms.

Mr. Boyle responded that tables with seating and a barbeque area would be included in the lounge areas.

Commissioner Lopez-Maciel expressed concern about the high number of units and the amount of open space being under the minimum requirement.

Mr. Boyle responded that the General Plan encourages, and in some cases, requires higher density in the City and it is not staff's recommendation to lower the number of units, although the Commission could require the developer to lower the number of units.

Mr. Nick Sahota, 2511 Logan Street, Selma, CA 93662, the project engineer, approached the podium. Mr. Sahota informed the Commission that they lowered the number of units from the original proposal and they agree with the conditions of approval. Mr. Sahota expressed that the owner has a few requests for the Commission including the reimbursement of the development impact fees, if the owner can start building the project prior to issuance of a building permit and if the civil engineer can prepare the landscape plans instead of a licensed landscape architect.

Commissioner Hutchings asked if the carports will include the installation of roof solar panels.

Mr. Sahota responded that the owner's intent is to install roof solar panels on the carports.

Mr. Boyle spoke regarding Condition #78, recommending that the landscape plans are submitted by a licensed landscape architect, consistent with the State's ordinance.

Mr. Helmuth spoke regarding Condition #46, informing the Commission that the Engineering Department can allow for grading or other construction activities so long as the developer provides a site plan depicting how it will function. Mr. Helmuth does not recommend changing the condition.

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

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

Vice Chairperson Cortes moved to approve Motion 1c, seconded by Commissioner Norton. The motion carried unanimously.

2. PPL 2018-07 – Self-Help Apartment Complex

A noticed public hearing to consider a precise plan that provides for the development of a 56-unit apartment complex on properties located approximately 300 feet east of the intersection of Madera Avenue and Lewis Street in the PD-1500 (Planned Development) Zone District with an HD (High Density) General Plan land use designation. A Mitigated Negative Declaration will also be considered by the Planning Commission (APN's: 011-143-006, 011-143-007 & 011-143-008).

Christopher Boyle presented the item.

Commissioner Norton asked who determines if the project is for low-income families.

Mr. Boyle responded that Self Help administrates the process for low-income families of the multifamily complex.

Chairperson Gran, Jr. asked why only two parking spaces are required for a three-bedroom unit as well as a two-bedroom unit.

Mr. Boyle responded that the City's ordinance requires two parking spaces for two or more bedrooms.

Commissioner Norton asked if there was any consideration for access of the complex from Dunham Avenue.

Mr. Boyle responded that there was no consideration for vehicles accessing the complex from Durham Avenue and all access will focus on Lewis Street.

Commissioner Hutchings asked if there is a decorative treatment for the sound walls along the Highway 99 corridor.

Mr. Boyle responded that the plan review of the wall will be completed by City staff and not Caltrans, and the Planning Manager will collaborate with the developer to ensure an attractive sound wall.

Commissioner Broadhead asked if there will be two sound walls will be constructed, one by the developer and one by Caltrans.

Mr. Boyle responded that it would be unlikely for Caltrans to construct an additional sound wall.

Commissioner Lopez-Maciel expressed concern that the Caltrans traffic analysis was not a sound study and asked if a gate could be installed at the end of the project accessed from Dunham Avenue.

Mr. Boyle responded that access is being provided through Dunham Avenue and it is not recommended to provide another access point that would take access from the alley.

Mr. Helmuth added that he is in agreement with Mr. Boyle.

Commissioner Hutchings asked about the history of the temporary improvements that restricted southbound turn movements onto Lewis Street and the results of the improvements.

Mr. Helmuth responded that the median island was constructed as a component of the interchange but does not recall delineators that temporary blocked the southbound turning lanes.

Mr. Tom Collishaw, 8445 W. Elowin Court, Visalia, CA 93291, President and CEO of Self-Help Enterprises, approached the podium. In regards to Condition No. 25, Mr. Collishaw asked if they could provide an alternative to allow for an on-site drainage system because they may not be able to obtain easements on other properties for the required storm drain line. Mr. Collishaw also explained that the project is a low-income family project.

Commissioner Tyler asked if the inhabitants of the complex will be seasonal migrant workers.

Mr. Collishaw responded that it will not be specific to seasonal migrant workers and that their organization determines the qualifications of a low-income family and can receive penalties if their selections do not comply with low-income requirements.

Commissioner Tyler asked if there will be an on-site manager.

Mr. Collishaw responded that there will be two on-site managers; one focuses on management and qualification issues and the other with maintenance issues.

Commissioner Lopez-Maciel asked if any educational programs will be included with the project.

Mr. Collishaw responded that there will be a robust number of services provided to the inhabitants, including an educational program.

Commissioner Lopez-Maciel expressed concern for the on-site drainage system and if it is allowed in the City.

Derek Holdsworth, Project Engineer, explained that they have used a combination of pervious paving, bioswales and underground storage tanks to contain the water on-site.

Mr. Boyle added that there are provisions for the City to allow for an on-site drainage retainment system.

Mr. Helmuth further added that it is a State law to require the reduction in storm water runoff.

Mr. Collishaw assured to the Commission that their first preference is to provide storm drainage off-site.

Midge Blalock, 137 King Lane, Madera, CA 93637 approached the podium. Mrs. Blalock's concern was regarding traffic impacts and how they will be resolved as a result of this project.

David Arnold, 117 E. Dunham Avenue, Madera, CA 93637 approached the podium. Mr. Arnold expressed his concern about a large traffic increase utilizing the alley from Dunham Avenue.

Diane Landucci, 302 E. Dunham Avenue, Madera, CA 93637 approached the podium. Mrs. Landucci expressed her concern about a portion of her land being taken because of the project and asked if a wall will be constructed between her property and the project.

Chairperson Gran, Jr. responded that when construction starts all correct procedures will be taken to assure where property lines are located and will not build on her property.

Mrs. Landucci added that she is concerned for the traffic increase.

Kimberly Adair, 220 E. Dunham Avenue, Madera, CA 93637 approached the podium. Mrs. Adair expressed her concern for the increase in traffic resulted from the project.

Mr. Collishaw confirmed that a fence will be constructed to separate the project from the surrounding residential uses.

Commissioner Lopez-Maciel asked if there are any future plans to continue the Clemmensen Avenue cul-de-sac to help alleviate traffic from the construction of the project.

Mr. Boyle responded that Clemmensen Avenue runs into Mrs. Landucci's property, which will only develop if future development occurs and purchases that portion of the property.

Mrs. Blalock expressed that she thinks the project will be a positive addition to the neighborhood.

Commissioner Lopez-Maciel asked the applicant if they would be able to purchase additional property and build more apartments to provide an alternative entrance.

Mr. Collishaw responded that that would be unlikely and reiterated the project is consistent with all zoning requirements and General Plan policies, and a traffic study was completed by Caltrans.

Chairperson Gran, Jr. asked Mr. Helmuth if there is a possibility to make Lewis Avenue a right-turn only exiting from Lewis Avenue.

Mr. Helmuth responded that it is possible, although it is questionable to provide compliance with the municipal code.

Commissioner Norton moved to approve Motion 1a, seconded by Commissioner Tyler.

Ayes: Chairperson Gran, Jr., Commissioner Hutchings, Commissioner Tyler, Commissioner Norton

Nos: Vice Chairperson Cortes, Commissioner Lopez-Maciel, Commissioner Broadhead

The motion was approved 4-3.

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

3. PPL 2005-01 MOD3 – Tierra Vista Estates

A noticed public hearing to consider an application for amendment to a precise plan to allow for the addition of three (3) home models to be built upon fifteen (15) lots within the Tierra Vista Estates subdivision, located at the northwest corner of the intersection of Emily Way and Gary Lane in the PD 3000 (Planned Development) Zone District with an MD (Medium Density) General Plan land use designation (Multiple APN's).

Jesus Orozco presented the item.

Chairperson Gran, Jr. asked for confirmation if this project is an infill project.

Mr. Orozco confirmed that the project is an infill project.

Jose Franco, 25042 Brook Drive, Madera, CA 93638, approached the podium and agrees with the conditions of approval.

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

4. CUP 2018-20 & SPR 2018-34 – Madera Gateway Market Outdoor BBQ

A noticed public hearing to consider a conditional use permit and site plan review to allow for the outdoor preparation of (BBQ) food at Madera Gateway Market located approximately 150 feet southeast of the intersection of South Gateway Drive and Madera Avenue (518 South Gateway Drive) in the I (Industrial) Zone District with a C (Commercial) General Plan land use designation (APN: 011-041-002).

Jesus Orozco presented the item and recommended denial of the request.

Commissioner Tyler asked if the outdoor use will comply with all applicable health codes.

Mr. Orozco responded that during the Planning process, the Madera County Health Department requires health inspections and provides a certification if all health codes are in compliance.

Vice Chairperson Cortes moved to approve Motion 1 denying the CUP request, seconded by Commissioner Norton. The motion carried unanimously.

ADMINISTRATIVE REPORTS:

Mr. Boyle confirmed that the election of the Chairperson and Vice Chairperson has been moved to the February 12, 2019 Planning Commission hearing. Mr. Boyle also asked the Commissioners for direction on attending the 2019 Planning Commissioners Academy for March 6-8, 2019.

COMMISSIONER REPORTS: None

ADJOURNMENT:

The meeting adjourned at 7:55 pm



Planning Commission Chairperson



Jesus Orozco, Interim Recording Secretary