

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

**CITY HALL – COUNCIL CHAMBERS
TUESDAY
December 10, 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 2019-06 and VAR 2019-05 – Eagle Meadows **CONTINUED TO JANUARY 14, 2020**

A continued 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.

2. CUP 2019-25 – AT&T Telecommunications Monopole

A noticed public hearing to consider a request for a conditional use permit and site plan review to allow for the installation of a 64' tall telecommunications monopole including twelve antennas and associated equipment. The project is located approximately 500 feet south of the southeast corner of North Schnoor Avenue and West Cleveland Avenue within the Northpointe retail commercial center in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 006-390-027). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines, Section 15332 (Infill Development).

3. CUP 2019-16 & 17 and SPR 2019-23 – Valero Gas Station

A noticed public hearing to consider a request for two conditional use permits to allow for the sale of alcoholic beverages and the sale of tobacco products, and a site plan review to allow the development of a Valero gas station and convenience store. The site is located on the north east corner of Almond Avenue and Gateway Drive in the CH (Commercial Highway) Zone District with a C (Commercial) General Plan land use designation (APN: 012-390-023). A Mitigated Negative Declaration will also be considered by the Planning Commission.

4. 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). This 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 January 14, 2020.

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.

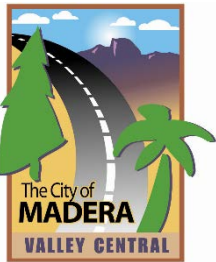
Any writing related to an agenda item for the open session of this meeting distributed to the Planning Commission less than 72 hours before this meeting is available for inspection at the City of Madera – Planning Department, 205 W. 4th Street, Madera, CA 93637 during normal business hours.

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.

**PPL 2019-06 & VAR 2019-05
STAFF IS REQUESTING THIS ITEM BE
CONTINUED TO THE JANUARY 14, 2020
PLANNING COMMISSION HEARING**



CITY OF MADERA PLANNING COMMISSION

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

Staff Report: AT&T Telecommunications Monopole CUP 2019-25, SPR 2019-28 & Categorical Exemption Item #2 – December 10, 2019

PROPOSAL: Consideration of a request for a conditional use permit (CUP) and site plan review (SPR) to allow for the installation of a 64' tall telecommunications monopole including twelve antennas and associated ground equipment.

APPLICANT:	New Cingular Wireless PCS. LLC	OWNER:	Northpointe Retail LLC
ADDRESS:	1643 North Schnoor Avenue	APN:	006-390-027
APPLICATION:	CUP 2019-25 & SPR 2019-28	CEQA:	Categorical Exemption

LOCATION: The project is located approximately 500 feet south of the southeast corner of North Schnoor Avenue and West Cleveland Avenue within the Northpointe retail commercial center.

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

PARCEL SIZE: One parcel encompassing approximately 3.15 acres.

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C1 (Light Commercial)

SITE CHARACTERISTICS: The project site is located within the southeast corner of the North Pointe retail commercial center. Commercial uses surround the project site. Single-family residential development is located across North Schnoor Avenue, southwest of the project site.

ENVIRONMENTAL REVIEW: The proposed telecommunications monopole is categorically exempt under Section 15332, In-Fill Development Projects, of the California Environmental Quality Act (CEQA).

SUMMARY: Telecommunications facilities, such as the AT&T monopole will provide service of an integral element of daily communication. The proposed 64' monopole is necessary to provide enhanced wireless telecommunications service to the area. In that no suitable alternatives are available, staff is in support of the approval of CUP 2019-25 and SPR 2019-28.

APPLICABLE CODES AND PROCEDURES

MMC § 10 3.419 Telecommunication Towers, Antennas and Structures

MMC § 10 3.801, et seq. Light Commercial Zones

MMC § 10 3.1301, et seq. Use Permit Procedures

MMC § 10 3.4.0101 Site Plan Review

The General Plan designates the project site as C (Commercial) property. The project site is located in the C-1 (Light Commercial) Zone District.

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

PRIOR ACTION

The project site was approved for development on January 26, 2004 as part of SPR 2004-01, which allowed for the construction of three commercial buildings encompassing approximately 31,104 square feet. Various other use permits and site plan reviews have followed as a component of establishing on-site alcohol sales, outdoor dining and a massage therapy use.

ANALYSIS

Project Proposal

The applicant is proposing the installation of a telecommunication facility including, twelve antennas with associated tower-mounted equipment placed on a 64' tall monopole. In support of the monopole, ground equipment will be a walk-in cabinet and standby 30kw diesel generator with a 190-gallon fuel tank, within a 14'-6" x 25' (363 square foot) lease area. The applicant is proposing an 8'-tall wood fence with overlapping board detail and painted to match the existing trash enclosure in the parking lot. The applicant's complete project support statement has been included as attachment 2.

Land Use Compatibility

The City's General Plan indicates that land designated as C (Commercial) is intended to accommodate a broad range of commercial uses. The Zoning Ordinance allows for commercial retail and business professional operations in the C-1 (Light Commercial) Zone District subject to the approval of a site plan review and/or use permit.

Pursuant to the Municipal Code, a cellular telecommunication monopole fixture also requires a conditional use permit in the C-1 Zone District. A minor site plan review is performed in conjunction with the conditional use permit to ensure site design is consistent with the development standards of the City.

Airport Compatibility

The project was referred to the City's Airport Manager for review and comment. No negative comments were received. The project is more than a mile from the outer boundary of the Madera Municipal Airport and within the D Zone of the Madera Countywide Airport Land Use Compatibility Plan (ALUC). Formal approval of the cell tower by the ALUC Commission is not required since the telecommunications facility installation within the D Zone is considered normally compatible, having low to no risk on the airspace.

Aesthetics

The cell tower is proposed as a 64' tall monopole fixture. Staff has considered the height and the location of the tower and determined that visual impacts on the surrounding neighborhood will be minimal. The applicant provided computer-generated photograph simulations of the before and after visual conditions of the tower. Commercial buildings will shield the bottom half of the monopole leaving the upper half exposed. Based on the photograph simulations provided, the monopole will be most visible from North Schnoor Street looking north at the site, as shown on the attachment 3.

Previously approved monopole structures, though slightly greater in height, have been installed as stealth "monopine" fixtures designed to blend into the surrounding tree features. Ready examples of stealth monopoles can be located at the First Baptist Church of Madera and the Harvest Community Center. Because of the height and location of the monopole, staff is neutral on requiring that the cell tower be installed as a stealth monopole. Staff recommends that the Commission consider the attached computer-generated photograph simulations and determine whether to require a stealth monopole over the current proposal.

Demonstration of Need

With the change in the City's population, the demand for cell coverage has increased. The provider (AT&T) has explored potential locations with telecommunication facilities in relation to service needs and service coverage. The proposed location has been identified as a location wherein the monopole facility will provide a quantifiable level of service as shown in pages 6 and 7 of attachment 2. Of note, the installation of the proposed monopole tower would provide additional co-location opportunities for two other wireless carriers.

Telecommunications Act of 1996

The Telecom Act provides in part that no State or local statute or regulation may prohibit or have the effect of prohibiting any entity from providing intrastate telecommunications service. Although it appears the Act is more centered upon encouraging competition among providers, it has the further effect of prohibiting regulatory barriers to the placement of antennas. Local jurisdictions may attach condition(s), regulate the location, height, appearance, and other parameters, as long as such regulation is based on need and reason. For example, to require a

certain color for all towers would be permissible, but to exclude some providers from a specific area for no good cause would not be. The proposed conditions of approval are reflective of these rules.

Other Department and Agency Comments

The proposed CUP 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 massage therapy 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 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 request.

PLANNING COMMISSION ACTION

The Commission will be acting on CUP 2019-25 and SPR 2019-28 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 2019-25 and SPR 2019-29, subject to the findings and conditions of approval as listed:

Findings

- This project is categorically exempt under Section 15332, In-Fill Development Projects, of the California Environmental Quality Act (CEQA).
- As proposed the telecommunications monopole is consistent with the purpose and intent 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 installation of the telecommunications monopole will be compatible with surrounding properties.
- 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 2019-25 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 Planning Commission (Commission).
3. CUP 2019-25 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 the conditional use permit.
4. CUP 2019-25 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. 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

6. A building permit is required for all improvements. 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.

Fire Department

7. Access to the enclosure shall be provided by means of an approved Knox Box, Knox Padlock or other approved method.
8. One, 2A10BC rated fire extinguisher is required.
9. Fire lanes must be properly posted in compliance with the California Fire Code and California Building Code.

Planning Department

10. The applicant shall accept reasonable co-location requests from communications companies to place their antennae on this facility. In the event of a conflict between whether a request is reasonable or not, a determination shall be made by the Community Development Director or his/her designate based on information provided by the requester and the current owner of the tower. Appeal of this decision may be made to the Planning Commission to be considered in a public hearing.
11. Installation of the tower and/or other on-site improvements shall not impinge upon or restrict the use of any adjacent land, including, but not limited to excavations, installation of underground utilities or other improvements, or installation of stormwater retention facilities which would be permitted or conditionally permitted by land-use regulations.
12. The proposed wireless telecommunications monopole fixture shall not encroach into any recorded easements or required routes of ingress or egress.
13. The applicant shall operate the use in a manner that does not generate noise, odor or vibration that adversely affects any adjacent properties and tenants.
14. The wireless telecommunications monopole fixture shall be constructed consistent with the approved plan set, not to exceed 363 square feet of lease area and 64' in height.
15. The wireless telecommunications monopole fixture shall not be illuminated. Security lighting associated with the ground equipment enclosure shall be down-shielded to keep light within the boundaries of the ground equipment enclosure and prescribed surroundings. In no instance shall lighting pose a concern to public safety.
16. Perimeter fencing shall be limited to 6' in height. A six-foot-tall chain link fence with durable colored vinyl slats shall enclose ground equipment enclosure facilities. The applicant shall present a sample of the colored vinyl slat to the Planning Director for approval prior to installation on the site.
17. The ground equipment enclosure fencing shall be maintained by the applicant to provide an acceptable appearance that is compatible with adjacent uses and consistent with the intent and purpose of the zone.

18. Should the tower remain inoperative for a continuous period of twelve (12) months it shall be considered abandoned and the owner shall remove the tower within ninety (90) days of notification of such abandonment.
19. Vandalism and graffiti shall be corrected per the Madera Municipal Code.
20. No signage is approved as a component of this entitlement. Future proposed signage shall comply with the MMC.
21. The cellular telecommunications monopole fixture and supporting ground equipment enclosure shall be maintained on a periodic basis sufficient to provide an acceptable appearance to the satisfaction of the Planning Director.

(OR)

Motion 2: Move to continue the public hearing on CUP 2019-25 & SPR 2019-28 to the January 14, 2020 Commission hearing, for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for CUP 2019-25 & SPR 2019-28, based on the following findings: (specify)

ATTACHMENTS

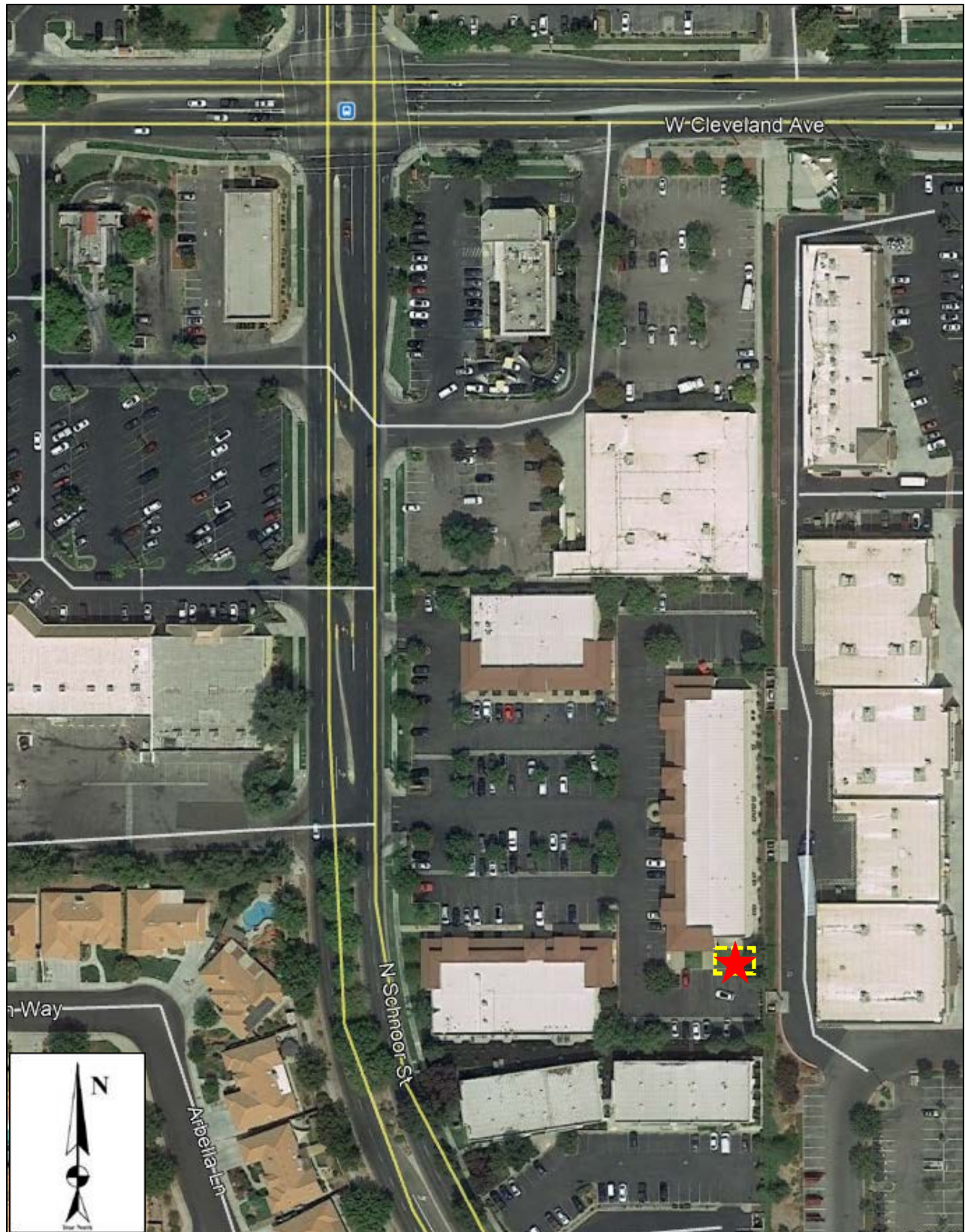
Attachment 1: Aerial Map

Attachment 2: Project Support Statement

Attachment 3: Photo Simulations

Attachment 4: Site Plan/Elevations

Attachment 1: Aerial Map



Attachment 2: Project Support Statement

PROJECT SUPPORT STATEMENT AT&T MOBILITY

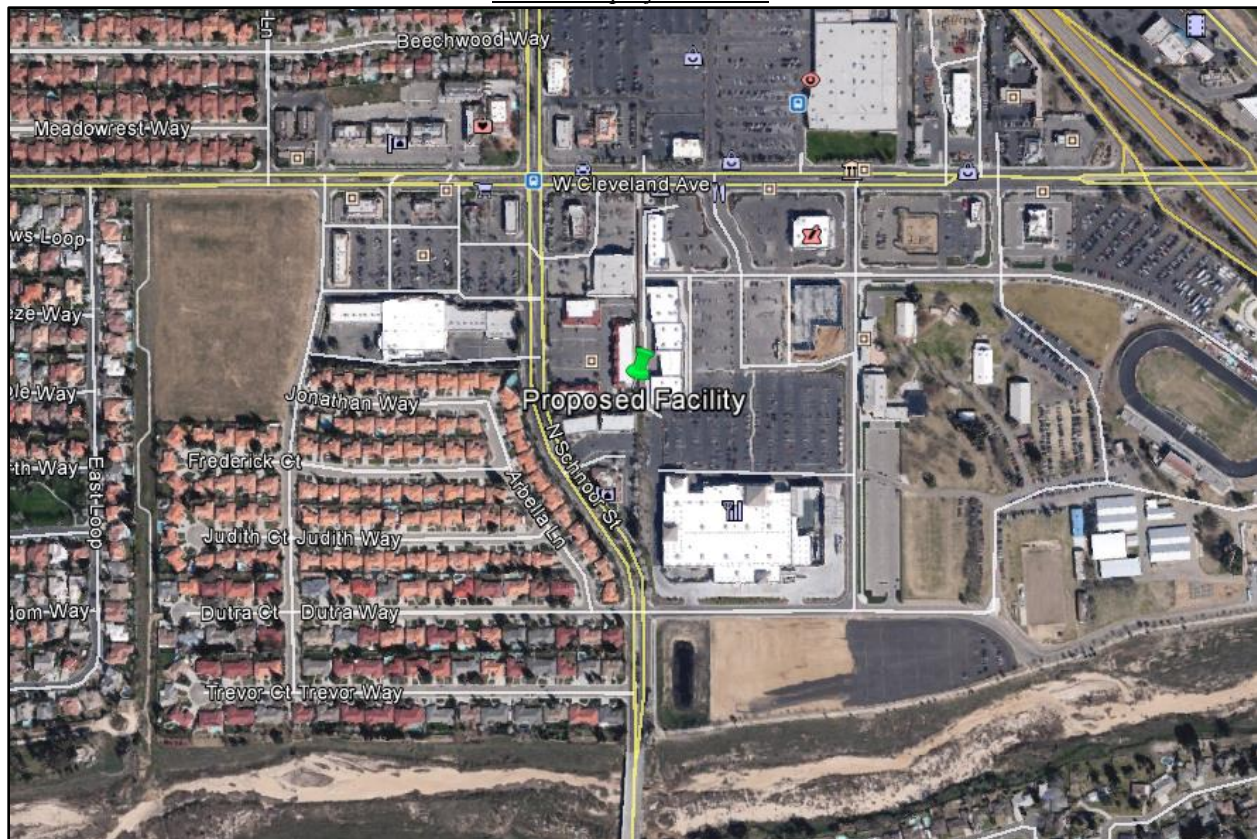
Site: CVL02167 Hallmark Town Center - Northpointe
Address: 1643 N. Schnoor Street, Madera, CA 93637
APN: 006-390-027

INTRODUCTION

AT&T Mobility (AT&T) is seeking to improve telecommunication services in the City of Madera. More specifically, AT&T would like to bring improved fixed wireless internet and cellular coverage to the area west of California State Route 99 (CA 99) as well as to the surrounding businesses, shoppers, travelers, and residents. Currently, this portion of the AT&T network is suffering from poor coverage due to an insufficient amount of telecommunications facilities and the ever increasing volume of service. To address this issue, AT&T is proposing a new wireless communications facility on a commercial parcel with the proposed facility located at the rear of 1643 N. Schnoor Street, to improve coverage for both existing and potential customers and to provide capacity relief during peak usage hours this heavily-traveled area. The increase in wireless services will benefit residents, local businesses, travelers, and, public safety communications systems in and around the City of Madera, including police, fire, and medical services.

Additionally, this network development will increase public safety within this area and bring wireless service to areas that currently suffer from poor service. This unmanned facility will provide service to area travelers, residents and businesses 24 hours a day, 7 days a week. This site will also serve as a backup to the existing landline service in the area and will provide improved mobile communications, which are essential to modern day commerce and recreation.

Aerial Map of Location



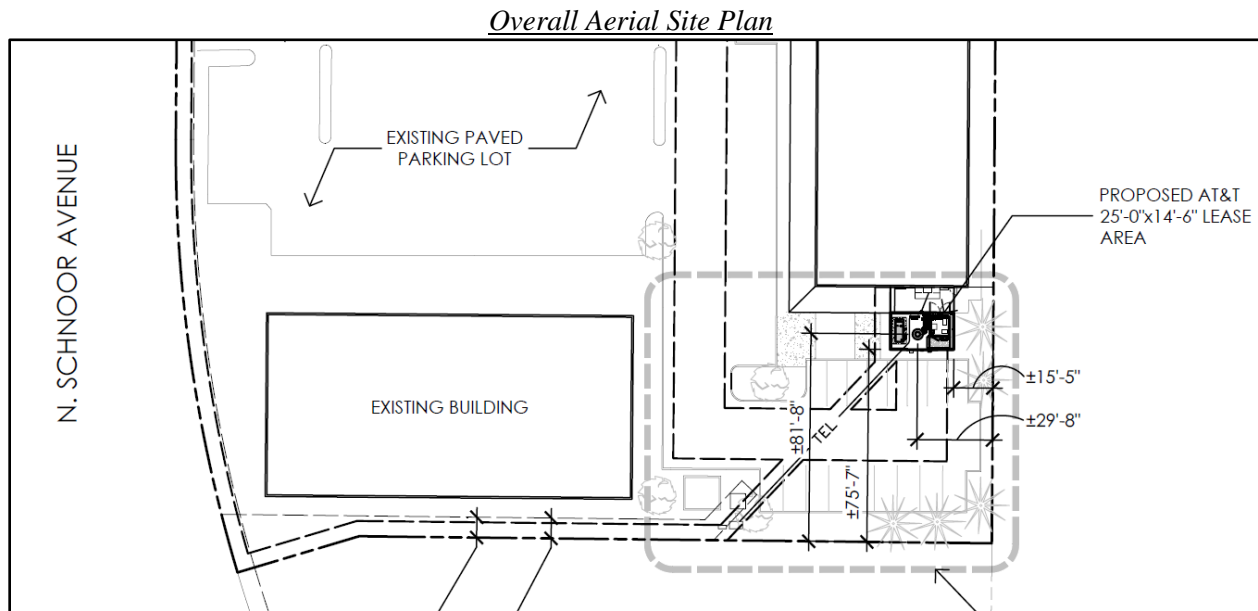
NEED FOR FACILITY & SAFETY BENEFITS OF IMPROVED SERVICE

Modern life has become increasingly dependent on instant communication. No longer just a personal and social convenience, wireless telecommunication devices such as mobile phones, smartphones and tablets have become an important tool for business, commerce and public safety. The proposed facility will provide service 24 hours a day, 7 days a week. This site will serve as a backup to the existing landline service in the area and will provide improved mobile communications, which are essential to emergency response, community safety, commerce, and recreation. The following wireless telecommunications users will benefit from improved coverage created as a result.

- Public Safety and Community Services;
- Residential homes, retail and commercial businesses in the area; and
- Tourists, visitors, commuters, and travelers along the heavily traveled located road around the commercial/retail corridor to the west of CA 99.

PROJECT DESIGN

The project will include an unmanned telecommunications facility including, twelve (12) antennas with associated tower-mounted equipment placed at a proposed centerline of 60' on a proposed 64' monopole.



Note: Enlarged from page A-1.1 in the enclosed Site Plans.

Associated ground equipment will be a walk-in cabinet and a standby 30kw diesel generator with 190-gallon fuel tank, within a 14'-6" x 25' lease area surrounded by an 8'-tall wood fence with overlapping board detail and painted to match the existing trash enclosures in the parking lot.

Existing Trash Enclosure located approximately 100' southwest of the Proposed Facility



The proposed facility is screened by existing office buildings to the north and west and there are existing evergreen trees directly to the east and south. The tower was designed at minimum functioning height in order to cover both the commercial/retail parcels to the north, south, and east as well as the residences to the west. The facility was also placed in a small unused area, tucked behind existing office buildings for maximum screening from public view.

View from W. Cleveland Avenue looking at the Site



View from N. Schnoor Street looking North at the Site



PROJECT LOCATION

The project is located at the southeast corner of 3-acre parcel and is zoned C1 (Light Commercial). There are no minimum setbacks in the C1 zone, unless abutting residential parcels. Here, the proposed facility is on a parcel that does not abut any residential zones. Additionally, it has been set back as far as possible from the frontage of N. Schnoor Street.

COMPLIANCE WITH CITY OF MADERA'S TELECOMMUNICATIONS ORDINANCE

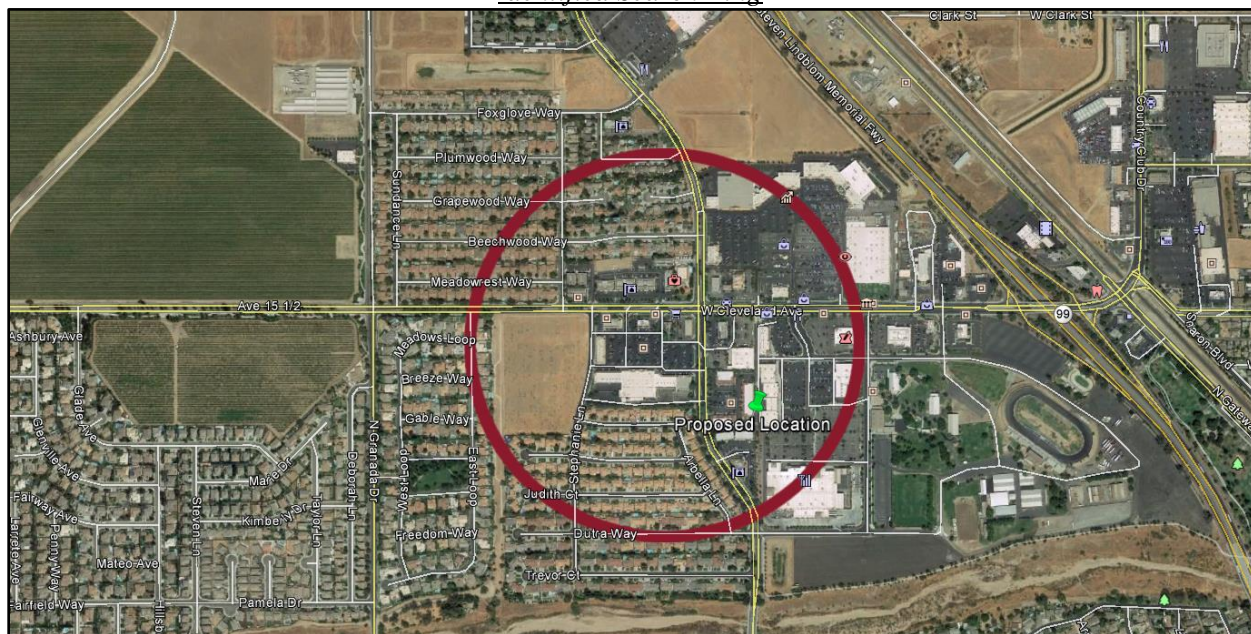
In accordance with § 10-3.419 of Madera's municipal code, the proposed facility has been located in a commercial zone, C1. Though the height limit in the C1 zone is 50', the AT&T tower is setback over 300' from the nearest road, N. Schnoor Street. The existing trees and buildings provide excellent screening for the proposed tower, but because AT&T's antennas must be able to provide signal above and past the existing tree tops, an overall height of 64' is required at this location.

For telecommunications facilities, The City requires that the facility be located at least the height of the tower plus 20' from any residential parcel. Here, the tower is located over 300' from the nearest residential parcel and complies with the City's telecommunications development standards. The property was placed at the rear of the parcel and abides by all City setback requirements. The monopole will be a neutral, non-galvanized steel color with antennas painted with non-reflective paint to match.

After identifying a coverage gap, AT&T's engineer began the site selection process by identifying a search area, called a "search ring" (see image below). Here, AT&T's radio access network (RAN) engineer requires at least 60' in height in order to cover the maximum number of residents, data users, travelers, business, and commuters in the area.

The proposed location and height of the tower ensures that AT&T is able to produce the desired coverage objective. The centerline height of 60' (with a total monopole height of 64') represents the required height of the antennas to produce the desired coverage objective.

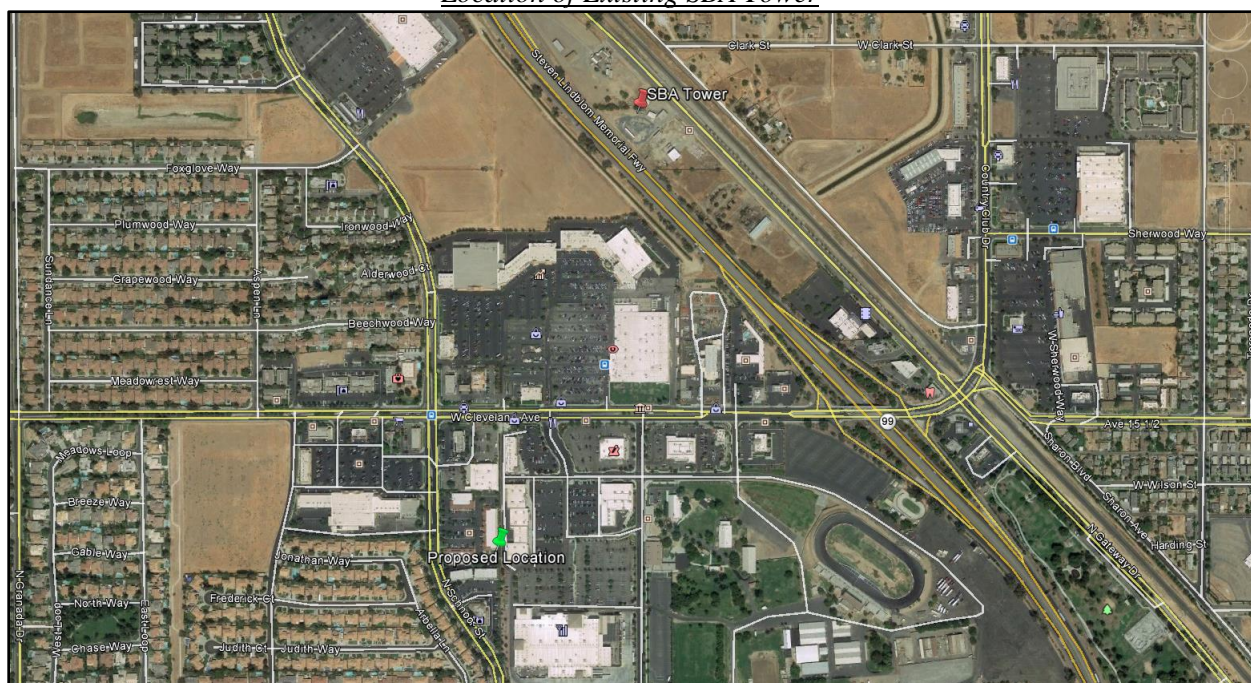
Identified Search Ring



After evaluating the City's zoning regulations and per AT&T's site selection process, the next step is to identify any existing towers within the search ring that could allow for co-location. In this case, AT&T determined that there is 1 existing 90' structure within 1 mile, but outside of AT&T's targeted Search Ring.

The nearest freestanding facility is owned by SBA and is located just over 0.5 miles away from the proposed facility. It would not provide coverage and capacity to part of the targeted area to the west, particularly to the residences to the west side of N. Schnoor Street due to its location to the east of CA 99.

Location of Existing SBA Tower



AT&T then looked to the tall buildings located in the Commercial (C1, C2) zones. In particular, AT&T looked to place a facility on the roofs of buildings; however, AT&T's radio frequency (RF) engineer

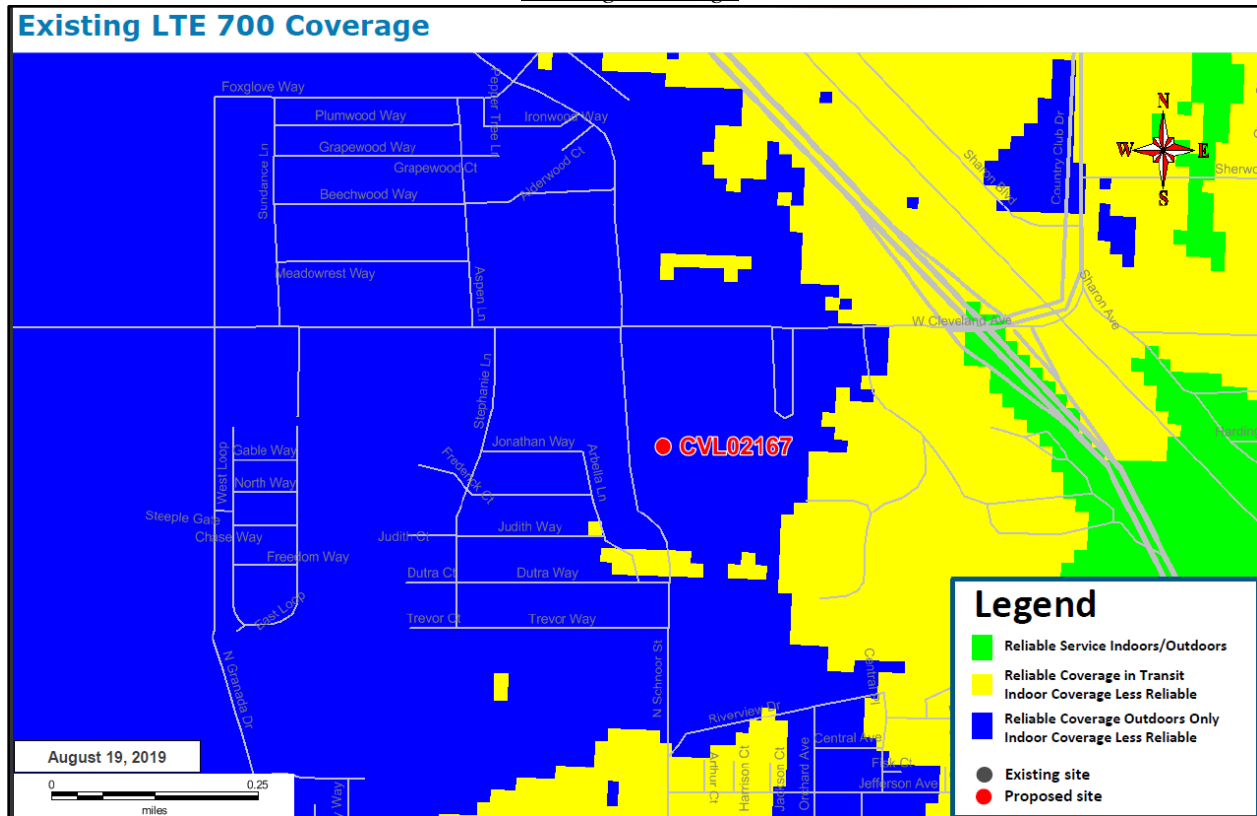
determined that the heights of the buildings in the area were too short to provide the necessary service objectives in Madera. The tallest buildings are approximately 45' in height and, in many cases, are set back from the public rights-of-way or buffered by existing trees.

Based on the height needed and lack of existing structures on which to co-locate, AT&T then looked into proposing a new freestanding tower in the Search Ring.

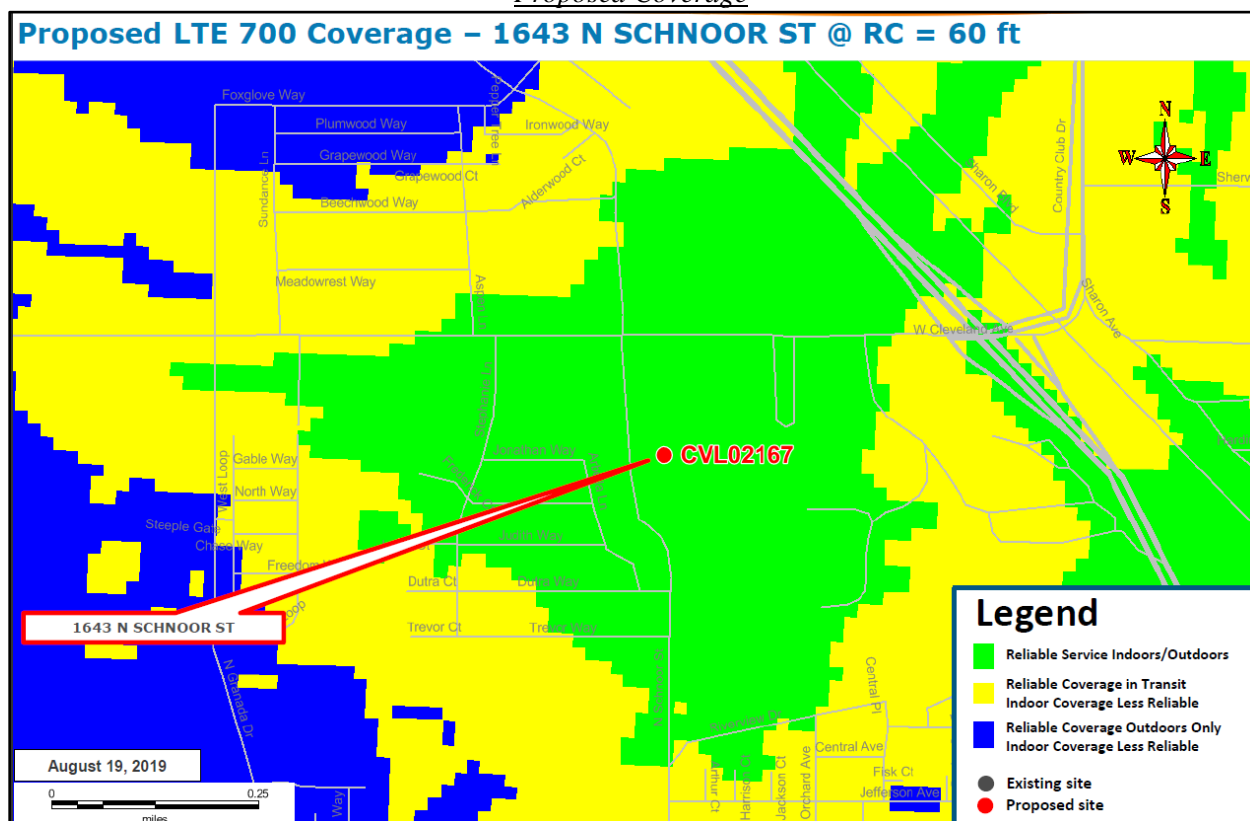
COVERAGE AREA

Below, please see the comparison of the two coverage maps. The first map shows the target area currently lacking wireless coverage on the AT&T network. The second map shows what the coverage will be like upon activation of the proposed facility. The area shown in blue shows inadequate outdoor and indoor coverage, the area marked in yellow shows some in-vehicle coverage, and the area marked in green indicates good indoor, in-car, and outdoor coverage. Please note that much of the blue and yellow areas are replaced by green following activation of the proposed facility.

Existing Coverage



Proposed Coverage



LIGHTING

Unless tower lighting is required by the FAA the only lighting on the facility will be a shielded light within the lease area on a timer. The light will be used by the maintenance technician for safety purposes.

NOISE

The standby generator will be operated for approximately 15-30 minutes per week for maintenance purposes, and during power outages and disasters. Testing and maintenance will take place weekdays between 8:00 a.m. and 7:00 p.m. During construction of the facility, which typically lasts around two to three months, acceptable noise levels will not be exceeded. Please see enclosed Noise Study.

HAZARDOUS MATERIALS

A Hazardous Material Business Plan will also be submitted upon project completion, and stored on site after construction.

SITE MAINTENANCE

A technician will visit the site approximately twice a month to check the facility and perform any necessary maintenance.

STATEMENT OF COMMITMENT TO ALLOW CO-LOCATION

The proposed facility has been designed in a manner that will structurally accommodate additional antennas and future co-location. AT&T welcomes other carriers to co-locate on their facilities whenever possible. Additional ground space is available within AT&T's lease area for at least one future carrier.

COMPLIANCE WITH FCC STANDARDS

This project will not interfere with any TV, radio, telephone, satellite, or any other signals. Any interference would be against the Federal Law and would be a violation AT&T's FCC License. See accompanying RF Report.

CONSTRUCTION SCHEDULE

The construction of the facility will be in compliance with all local rules and regulations. The typical duration is two to three months. The crew size will range from two to ten individuals.

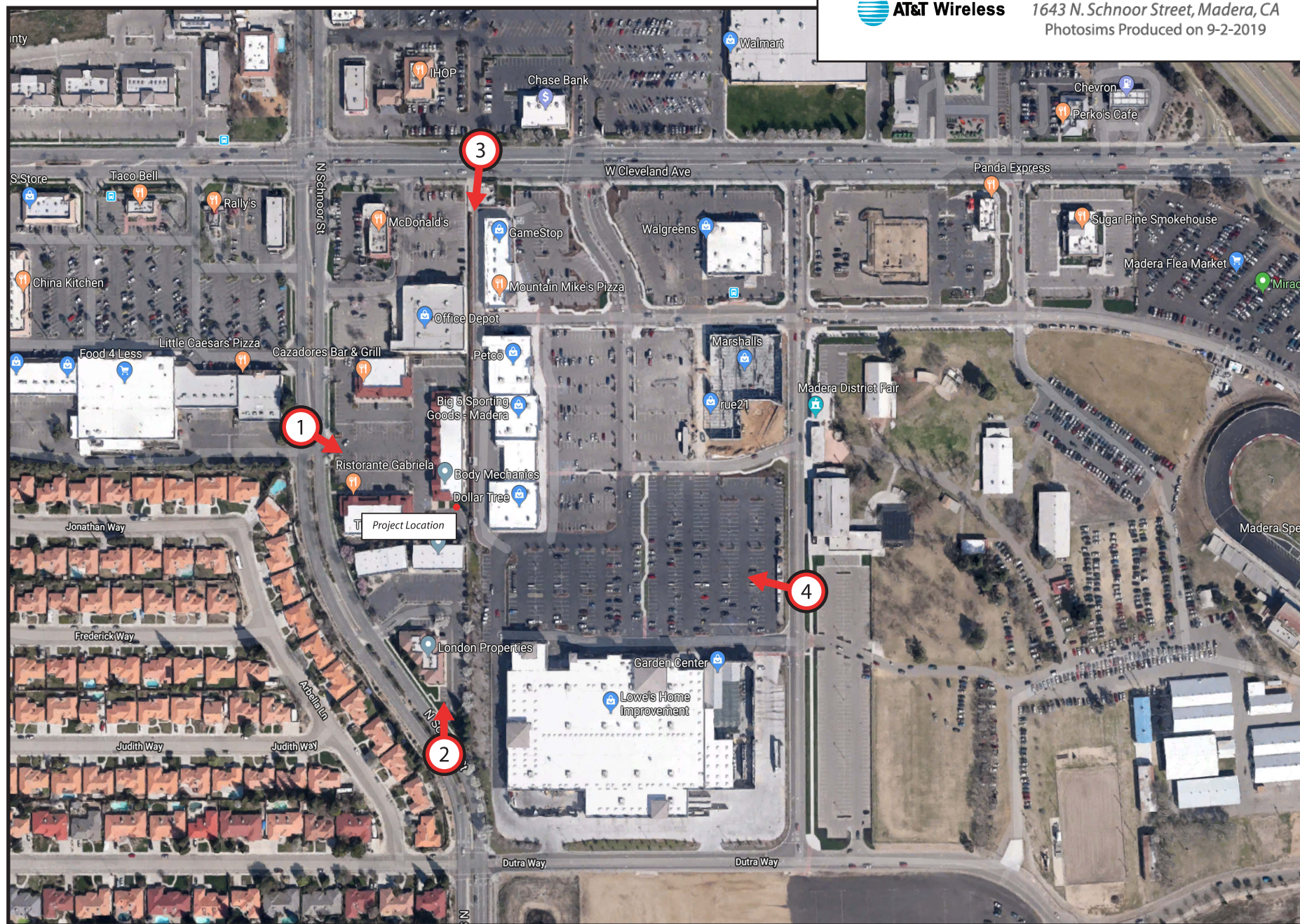
NOTICE OF ACTIONS AFFECTING THIS DEVELOPMENT PERMIT

In accordance with California Government Code Section 65945(a), AT&T requests notice of any proposal to adopt or amend the: general plan, specific plan, zoning ordinance, ordinance(s) affecting building or grading permits that would in any manner affect this development permit. Any such notice may be sent to 2009 V Street, Sacramento, CA 95818.

Attachment 3: Photo Simulations



CVL02167 Hallmark Town Center
1643 N. Schnoor Street, Madera, CA
Photosims Produced on 9-2-2019



Existing



Proposed



view from N. Schnoor Street looking southeast at site

Existing



Proposed



view from N. Schnoor Street looking north at site

Existing



Proposed



Proposed AT&T
Installation

view from W. Cleveland Avenue looking south at site

Existing



Proposed



view from Unnamed road looking northwest at site

Attachment 4: Site Plan/Elevations



at&t

FA CODE: 14702821
USID: 258926

SITE NUMBER: CVL02167
SITE NAME: HALLMARK TOWN CENTER -
NORTHPOINTE

1643 N. SCHNOOR STREET
MADERA, CA. 93637
JURISDICTION: CITY OF MADERA
APN: 006-390-027

SITE TYPE: WALK-IN CABINET
/ MONOPOLE

Issued For:

CVL02167
HALLMARK TOWN
CENTER -
NORTHPOINTE

1643 N. SCHNOOR ST.
MADERA, CA. 93637


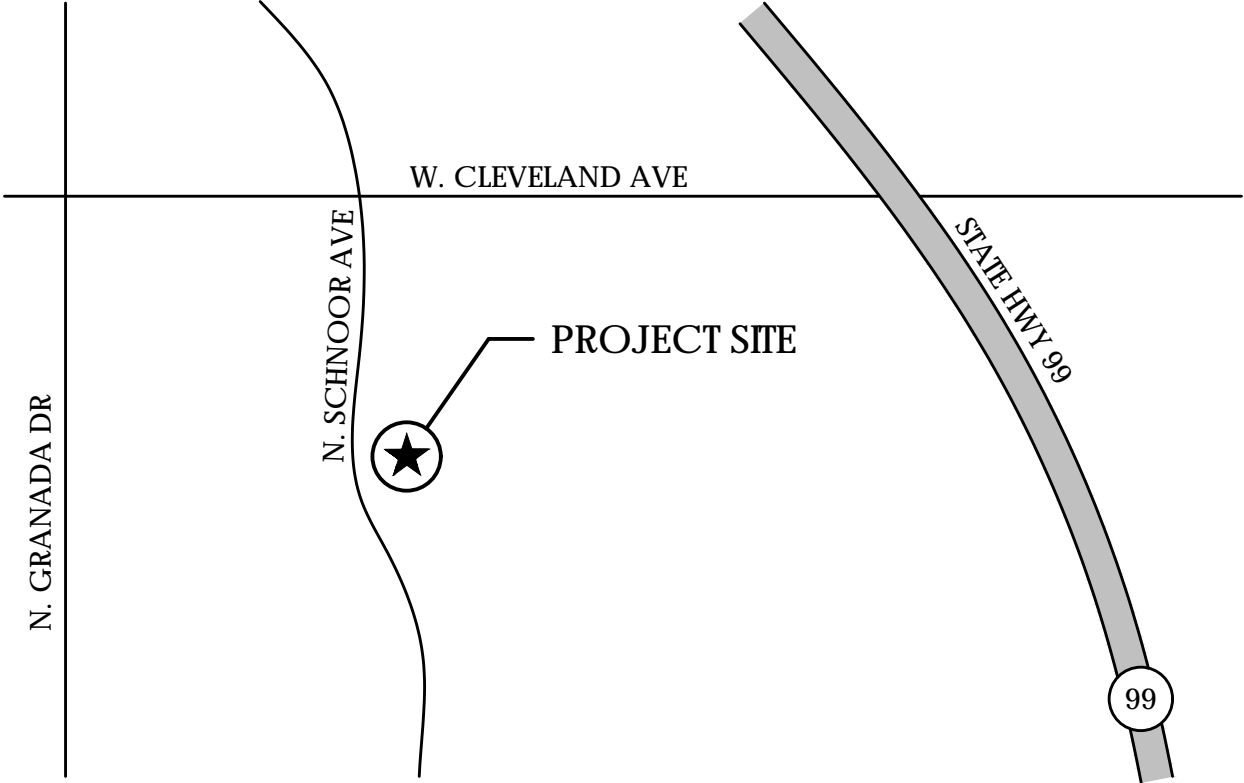
PREPARED FOR

 at&t

2600 Camino Ramon
San Ramon, California 94583

Vendor:


COMPLETE
Wireless Consulting, Inc.

PROJECT DESCRIPTION	PROJECT INFORMATION		PROJECT TEAM		SHEET INDEX		REV
NEW SITE BUILD UNMANNED TELECOMMUNICATIONS FACILITY. 1. BRING POWER / TELCO / FIBER TO SITE LOCATION 2. INSTALL AT&T APPROVED PRE-MANUFACTURED WALK-IN CABINET AND ASSOCIATED INTERIOR EQUIPMENT 3. INSTALL AT&T MONOPOLE WITH ANTENNAS & ASSOCIATED TOWER-MOUNTED EQUIPMENT 4. INSTALL GENERATOR W/ FUEL TANK	PROPERTY INFORMATION: SITE NAME: HALLMARK TOWN CENTER SITE NUMBER: CVL02167 SITE ADDRESS: 1643 N. SCHNOOR STREET MADERA, CA. 93637 A.P.N. NUMBER: 006-390-027 CURRENT ZONING: C-1 (LIGHT COMMERCIAL) JURISDICTION: CITY OF MADERA LATITUDE: N 36°58'21.18" (NAD83) LONGITUDE: W 120°04'59.89" (NAD83) ELEVATION: 263.0' A.M.S.L.	PROPERTY OWNER: NORTHPOINTE RETAIL, LLC. 2001 HOWARD ROAD SUITE 211 MADERA, CA. 93637 RF ENGINEER: AT&T 5555 E. OLIVE AVENUE FRESNO, CA. 93727 CONTACT: JAKE BALUYUT EMAIL: jlb7714@att.com PH: (559) 454-5694 CONSTRUCTION MANGER: BECHTEL 3180 CROW CANYON PLACE SAN RAMON, CA 94583 CONTACT: MITCHELL SMITH EMAIL: msmith21@bechtel.com PH: (925) 915-7814 SURVEYOR: GEL ENGINEERING 1226 HIGH STREET AUBURN, CA. 95603 CONTACT: DAN GELL EMAIL: dangel@pacbell.net PH: (530) 823-1309	APPLICANT / LESSEE: AT&T 2600 CAMINO RAMON, 4W850 N SAN RAMON, CA 94583 ARCHITECT / ENGINEER: MST ARCHITECTS INC. 1520 RIVER PARK DRIVE SACRAMENTO, CA 95815 CONTACT: MANUEL S. TSHLAS EMAIL: manuel@mstarchitects.com PH: (916) 567-9630 ZONING MANAGER: COMPLETE WIRELESS CONSULTING, INC. 2009 V STREET SACRAMENTO, CA 95818 CONTACT: MARIA KIM EMAIL: mkim@completewireless.net PH: (916) 247-6087 SITE AQUSITION: COMPLETE WIRELESS CONSULTING, INC. 2009 V STREET SACRAMENTO, CA 95818 CONTACT: RANDY MKUNI EMAIL: rmkuni@completewireless.net PH: (916) 747-0624	1. T-1 2. GN-1 3. C-1 4. A-1.1 5. A-2.1 6. A-3.1 7. A-3.2 8. A-3.3 9. A-4.1 10. A-4.2	TITLE SHEET GENERAL NOTES, ABBREVIATIONS, & LEGEND PLOT PLAN AND SITE TOPOGRAPHY OVERALL AND ENLARGED SITE PLANS EQUIPMENT LAYOUT PLAN ANTENNA PLAN & RF SCHEDULE ANTENNA DETAILS RRH DETAILS PROPOSED ELEVATIONS PROPOSED ELEVATIONS	# # # # # # # # # #	
CODE COMPLIANCE	VICINITY MAP		DIRECTIONS FROM AT&T		GENERAL CONTRACTOR NOTES		DIGALERT  800-227-2600 Call 2 Full Working Days In Advance
ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. 1. 2016 CALIFORNIA ADMINISTRATIVE CODE, CHAPTER 10, PART 1, TITLE 24 CODE OF REGULATIONS 2. 2016 CALIFORNIA BUILDING CODE (CBC) WITH CALIFORNIA AMENDMENTS, BASED ON THE 2012 IBC (PART 2, VOL 1-2) 3. 2016 CALIFORNIA RESIDENTIAL CODE (CRC) WITH APPENDIX H, PATIO COVERS, BASED ON THE 2012 IRC (PART 2.5) 4. 2016 CALIFORNIA GREEN BUILDINGS STANDARDS CODE (CALGREEN) (PART 11) (AFFECTED ENERGY PROVISIONS ONLY) 5. 2016 CALIFORNIA FIRE CODE (CFC), BASED ON THE 2012 IFC, WITH CALIFORNIA AMENDMENTS (PART 9) 6. 2016 CALIFORNIA MECHANICAL CODE (CMC), BASED ON THE 2012 UMC (PART 4) 7. 2016 CALIFORNIA PLUMBING CODE (CPC), BASED ON THE 2012 UPC (PART 5) 8. 2016 CALIFORNIA ELECTRICAL CODE (CEC) WITH CALIFORNIA AMENDMENTS, BASED ON THE 2011 NEC (PART 3) 9. 2016 CALIFORNIA ENERGY CODE (CEC) 10. ANSI / EIA-TIA-222-G 11. 2015 NFPA 101, LIFE SAFETY CODE 12. 2016 NFPA 72, NATIONAL FIRE ALARM CODE 13. 2016 NFPA 13, FIRE SPRINKLER CODE		DIRECTIONS FROM AT&T'S OFFICE AT 2600 CAMINO RAMON, SAN RAMON, CA 1. HEAD NORTHEAST TOWARD SUNSET DR. 2. TURN RIGHT. 3. TURN RIGHT TOWARD SUNSET DR. 4. TURN LEFT TOWARD SUNSET DR. 5. CONTINUE ONTO SUNSET DR. 6. TURN SLIGHTLY RIGHT TOWARD BOLLINGER CANYON RD. 7. USE ANY LANE TO TURN RIGHT ONTO BOLLINGER CANYON RD. 8. MERGE ONTO I-680 S VIA THE RAMP TO SAN JOSE. 9. TAKE EXIT 30A TO MERGE ONTO I-580 E TOWARD STOCKTON 10. KEEP LEFT TO STAY ON I-580 E 11. KEEP LEFT TO CONTINUE ON I-205 E, FOLLOW SIGNS FOR INTERSTATE 205/TRACY/STOCKTON 12. MERGE ONTO I-5 N. 13. TAKE EXIT 461 FOR CA-120 TOWARD MANTECA/SONORA. 14. CONTINUE ONTO CA-120 E. 15. TAKE EXIT 6 TO MERGE ONTO CA-99 S TOWARD MODESTO/FRESNO. 16. TAKE EXIT 156 FOR AVENUE 16/GATEWAY DR. 17. TURN RIGHT ONTO AVE 16/W KENNEDY ST. 18. TURN LEFT ONTO N SCHNOOR ST. 19. TURN LEFT INTO PARKING LOT. 20. DESTINATION WILL BE ON THE RIGHT.					
OCCUPANCY AND CONSTRUCTION TYPE	VICINITY MAP		APPROVALS				
OCCUPANCY : S-2 (UNMANNED TELECOMMUNICATIONS FACILITY), U (TOWER) CONSTRUCTION TYPE: V-B <u>HANDICAP REQUIREMENTS</u> FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. ACCESSIBILITY ACCESS AND REQUIREMENTS ARE NOT REQUIRED, IN ACCORDANCE WITH CALIFORNIA STATE ADMINISTRATIVE CODE, PART 2, TITLE 24, SECTION 1103B.1, EXCEPTION 1 & SECTION 1134B.2.1, EXCEPTION 4.			APPROVED BY: INITIALS: DATE: AT&T: VENDOR: R.F.: LEASING / LANDLORD: ZONING: CONSTRUCTION: POWER / TELCO: PG&E:				

PLANS ARE INTENDED TO BE USED TO OBTAIN ALL MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.

THE CONTRACTOR SHALL OBTAIN, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.

CONTRACTOR SHALL CONTACT USA (UNDERGROUND SERVICE ALERT) AT (800) 227-2600, FOR UTILITY LOCATIONS, 48 HOURS BEFORE PROCEEDING WITH ANY EXCAVATION, SITE WORK OR CONSTRUCTION.

THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY INDICATED OTHERWISE, OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CBC / UBC'S REQUIREMENTS REGARDING EARTHQUAKE RESISTANCE, FOR, BUT NOT LIMITED TO, PIPING, LIGHT FIXTURES, CEILING GRID, INTERIOR PARTITIONS, AND MECHANICAL EQUIPMENT. ALL WORK MUST COMPLY WITH LOCAL EARTHQUAKE CODES AND REGULATIONS.

REPRESENTATIONS OF TRUE NORTH, OTHER THAN THOSE FOUND ON THE PLOT OF SURVEY DRAWINGS, SHALL NOT BE USED TO IDENTIFY OR ESTABLISH BEARING OF TRUE NORTH AT THE SITE. THE CONTRACTOR SHALL RELY SOLELY ON THE PLOT OF SURVEY DRAWING AND ANY SURVEYOR'S MARKINGS AT THE SITE FOR THE ESTABLISHMENT OF TRUE NORTH, AND SHALL NOTIFY THE ARCHITECT / ENGINEER PRIOR TO PROCEEDING WITH THE WORK IF ANY DISCREPANCY IS FOUND BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND THE TRUE NORTH ORIENTATION AS DEPICTED ON THE CIVIL SURVEY. THE CONTRACTOR SHALL ASSUME SOLE LIABILITY FOR ANY FAILURE TO NOTIFY THE ARCHITECT / ENGINEER.

THE BUILDING DEPARTMENT ISSUING THE PERMITS SHALL BE NOTIFIED AT LEAST TWO WORKING DAYS PRIOR TO THE COMMENCEMENT OF WORK, OR AS OTHERWISE STIPULATED BY THE CODE ENFORCEMENT OFFICIAL HAVING JURISDICTION.

DO NOT EXCAVATE OR DISTURB BEYOND THE PROPERTY LINES OR LEASE LINES, UNLESS OTHERWISE NOTED.

ALL EXISTING UTILITIES, FACILITIES, CONDITIONS, AND THEIR DIMENSIONS SHOWN ON THE PLAN HAVE BEEN PLOTTED FROM AVAILABLE RECORDS. THE ARCHITECT / ENGINEER AND THE OWNER ASSUME NO RESPONSIBILITY WHATSOEVER AS TO THE SUFFICIENCY OR THE ACCURACY OF THE INFORMATION SHOWN ON THE PLANS, OR THE MANNER OF THEIR REMOVAL OR ADJUSTMENT. CONTRACTORS SHALL BE RESPONSIBLE FOR DETERMINING EXACT LOCATION OF ALL EXISTING UTILITIES AND FACILITIES PRIOR TO START OF CONSTRUCTION.

CONTRACTORS SHALL ALSO OBTAIN FROM EACH UTILITY COMPANY DETAILED INFORMATION RELATIVE TO WORKING SCHEDULES AND METHODS OF REMOVING OR ADJUSTING EXISTING UTILITIES.

CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES, BOTH HORIZONTAL AND VERTICALLY, PRIOR TO THE START OF CONSTRUCTION. ANY DISCREPANCIES OR DOUBTS AS TO THE INTERPRETATION OF PLANS SHOULD BE IMMEDIATELY REPORTED TO THE ARCHITECT / ENGINEER FOR RESOLUTION AND INSTRUCTION, AND NO FURTHER WORK SHALL BE PERFORMED UNTIL THE DISCREPANCY IS CHECKED AND CORRECTED BY THE ARCHITECT / ENGINEER. FAILURE TO SECURE SUCH INSTRUCTION MEANS CONTRACTOR WILL HAVE WORKED AT HIS/HER OWN RISK AND EXPENSE.

ALL NEW AND EXISTING UTILITY STRUCTURES ON SITE AND IN AREAS TO BE DISTURBED BY CONSTRUCTION SHALL BE ADJUSTED TO FINISH ELEVATIONS PRIOR TO FINAL INSPECTION OF WORK.

ANY DRAIN AND/OR FIELD TILE ENCOUNTERED / DISTURBED DURING CONSTRUCTION SHALL BE RETURNED TO ITS ORIGINAL CONDITION PRIOR TO COMPLETION OF WORK. SIZE, LOCATION AND TYPE OF ANY UNDERGROUND UTILITIES OR IMPROVEMENTS SHALL BE ACCURATELY NOTED AND PLACED ON "AS-BUILT" DRAWINGS BY GENERAL CONTRACTOR, AND ISSUED TO THE ARCHITECT / ENGINEER AT COMPLETION OF PROJECT.

ALL TEMPORARY EXCAVATIONS FOR THE INSTALLATION OF FOUNDATIONS, UTILITIES, ETC., SHALL BE PROPERLY LAID BACK OR BRACED IN ACCORDANCE WITH CORRECT OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REQUIREMENTS.

INCLUDE MISC. ITEMS PER AT&T SPECIFICATIONS

SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) FOR THE LOCATION.

SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS:

TIA 607 COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS
TELCORDIA GR-63 NETWORK EQUIPMENT-BUILDING SYSTEM (NEBS): PHYSICAL PROTECTION
TELCORDIA GR-347 CENTRAL OFFICE POWER WIRING
TELCORDIA GR-1275 GENERAL INSTALLATION REQUIREMENTS
TELCORDIA GR-1503 COAXIAL CABLE CONNECTIONS

FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING MATERIAL, METHODS OF CONSTRUCTION, OR OTHER REQUIREMENTS, THE MOST RESTRICTIVE SHALL GOVERN. WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.

ABV.	ANCHOR BOLT	IN. (")	INCH(ES)
ABV.	ABOVE	INT.	INTERIOR
ACCA	ANTENNA CABLE COVER ASSEMBLY	LB.(#)	POUND(S)
ADDL	ADDITIONAL	L.B.	LAG BOLTS
A.F.F.	ABOVE FINISHED FLOOR	L.F.	LINEAR FEET (FOOT)
A.F.G.	ABOVE FINISHED GRADE	L	LONG(ITUDINAL)
ALUM.	ALUMINUM	MAS.	MASONRY
ALT.	ALTERNATE	MAX.	MAXIMUM
ANT.	ANTENNA	M.B.	MACHINE BOLT
APPRX.	APPROXIMATE(LY)	MECH.	MECHANICAL
ARCH.	ARCHITECT(URAL)	MFR.	MANUFACTURER
AWG.	AMERICAN WIRE GAUGE	MIN.	MINIMUM
BLDG.	BUILDING	MISC.	MISCELLANEOUS
BLK.	BLACK	MTL	METAL
BLKG.	BLOCKING	(N)	NEW
BM.	BEAM	NO. (#)	NUMBER
B.N.	BOUNDARY NAILING	N.T.S.	NOT TO SCALE
BTC.W.	BARE TINNED COPPER WIRE	O.C.	ON CENTER
B.O.F.	BOTTOM OF FOOTING	OPNG.	OPENING
B/U	BACK-UP CABINET	P/C	PRECAST CONCRETE
CAB.	CABINET	PCS	PERSONAL COMMUNICATION SERVICES
CANT.	CANTILEVER(ED)	PLY.	PLYWOOD
C.C.I.P.	CAST IN PLACE	PPC	POWER PROTECTION CABINET
CLG.	CEILING	PRC	PRIMARY RADIO CABINET
CLR.	CLEAR	P.S.F.	POUNDS PER SQUARE FOOT
COL.	COLLUMN	P.S.I.	POUNDS PER SQUARE INCH
CONC.	CONCRETE	P.T.	PRESSURE TREATED
CONN.	CONNECTION(OR)	PWR	POWER (CABINET)
CONST.	CONSTRUCTION	QTY.	QUANTITY
CONT.	CONTINUOUS	RAD.(R)	RADIUS
d	PENNY (NAILS)	REF.	REFERENCE
DBL	DOUBLE	REINF.	REINFORCEMENT(ING)
DEPT.	DEPARTMENT	REQ/D	REQUIRED
D.F.	DOUGLAS FIR	RCS.	RIGID GALVANIZED STEEL
DIA.	DIAMETER	SCH.	SCHEDULE
DIAG.	DIAGONAL	SHT.	SHEET
DIM.	DMENSION	SIM.	SIMILAR
DWVG.	DRAWING(S)	SPEC.	SPECIFICATIONS
DWL.	DOWEL(S)	SQ.	SQUARE
EA.	EACH	S.S.	STAINLESS STEEL
EL.	ELECTRIC	STD.	STANDARD
ELEC.	ELECTRICAL	STEEL	STEEL
ELEV.	ELEVATOR	STRUC.	STRUCTURAL
EMT.	ELECTRICAL METALLIC TUBING	TEMP.	TEMPORARY
E.N.	EDGE NAIL	THK.	THICK(NESS)
ENG.	ENGINEER	T.N.	TOE NAIL
EQ.	EQUAL	T.O.A.	TOP OF ANTENNA
EXP.	EXPANSION	T.O.C.	TOP OF CURB
EXST.(E)	EXISTING	T.O.F.	TOP OF FOUNDATION
EXT.	EXTERIOR	T.O.P.	TOP OF PLATE (PARAPET)
FAB.	FABRICATION(OR)	T.O.S.	TOP OF STEEL
F.F.	FINISH FLOOR	T.O.W.	TOP OF WALL
F.G.	FINISH GRADE	TYP.	TYPICAL
FIN.	FINISH(ED)	U.G.	UNDER GROUND
FLOOR	FLOOR	U.L.	UNDERWRITERS LABORATORY
FDN.	FOUNDATION	U.N.O.	UNLESS NOTED OTHERWISE
F.O.C.	FACE OF CONCRETE	V.I.F.	VERIFY IN FIELD
F.O.M.	FACE OF MASONRY	W	WIDE (WIDTH)
F.O.S.	FACE OF STUD	w/	WITH
F.O.W.	FACE OF WALL	WD.	WOOD
F.S.	FINISH SURFACE	W.P.	WEATHERPROOF
FT. (")	FOOT (FEET)	WT.	WEIGHT
FTG.	FOOTING	W.	CENTERLINE
G.	GROWTH (CABINET)	q.	PLATE, PROPERTY LINE
G.A.	GAUGE	q.	
GL	GALVANIZE(D)		
G.F.I	GROUND FAULT CIRCUIT INTERRUPTER		
GLB. (GLU-LAM)	GLUE LAMINATED BEAM		
GPS	GLOBAL POSITIONING SYSTEM		
GRND.	GROUND		
HDR.	HEADER		
HGR.	HANGER		
HT.	HEIGHT		
ICGB.	ISOLATED COPPER GROUND BUS		

	BLDG. SECTION		GROUT OR PLASTER
	WALL SECTION		(E) BRICK
	DETAIL		(E) MASONRY
	ELEVATION		CONCRETE
	DOOR SYMBOL		EARTH
	WINDOW SYMBOL		GRAVEL
	TLT-UP PANEL MARK		PLYWOOD
	PROPERTY LINE		SAND
	CENTERLINE		PLYWOOD
	ELEVATION DATUM		SAND
	GRID/COLUMN LINE		(E) STEEL
	KEYNOTE, DIMENSION ITEM		MATCH LINE
	KEYNOTE, CONSTRUCTION ITEM		GROUND CONDUCTOR
	WALL TYPE MARK		OVERHEAD SERVICE CONDUCTORS
	ROOM NAME		TELEPHONE CONDUIT
	ROOM NUMBER		POWER CONDUIT
			COAXIAL CABLE
			CHAIN LINK FENCE
			WOOD FENCE
			(P) ANTENNA
			(P) RRU
			(P) DC SURGE SUPPRESSION
			(F) ANTENNA
			(F) RRU
			(E) EQUIPMENT

CVL02167
HALLMARK TOWN
CENTER -
NORTHPOINTE



2600 Camino Ramon
San Ramon, California 94583



COMPLETE
Wireless Consulting, Inc.

PROJECT NO: 162.2531

CHECKED BY: TST

09/05/19	100% ZD
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	07/10/19	90% ZD
REV	DATE	DESCRIPTION

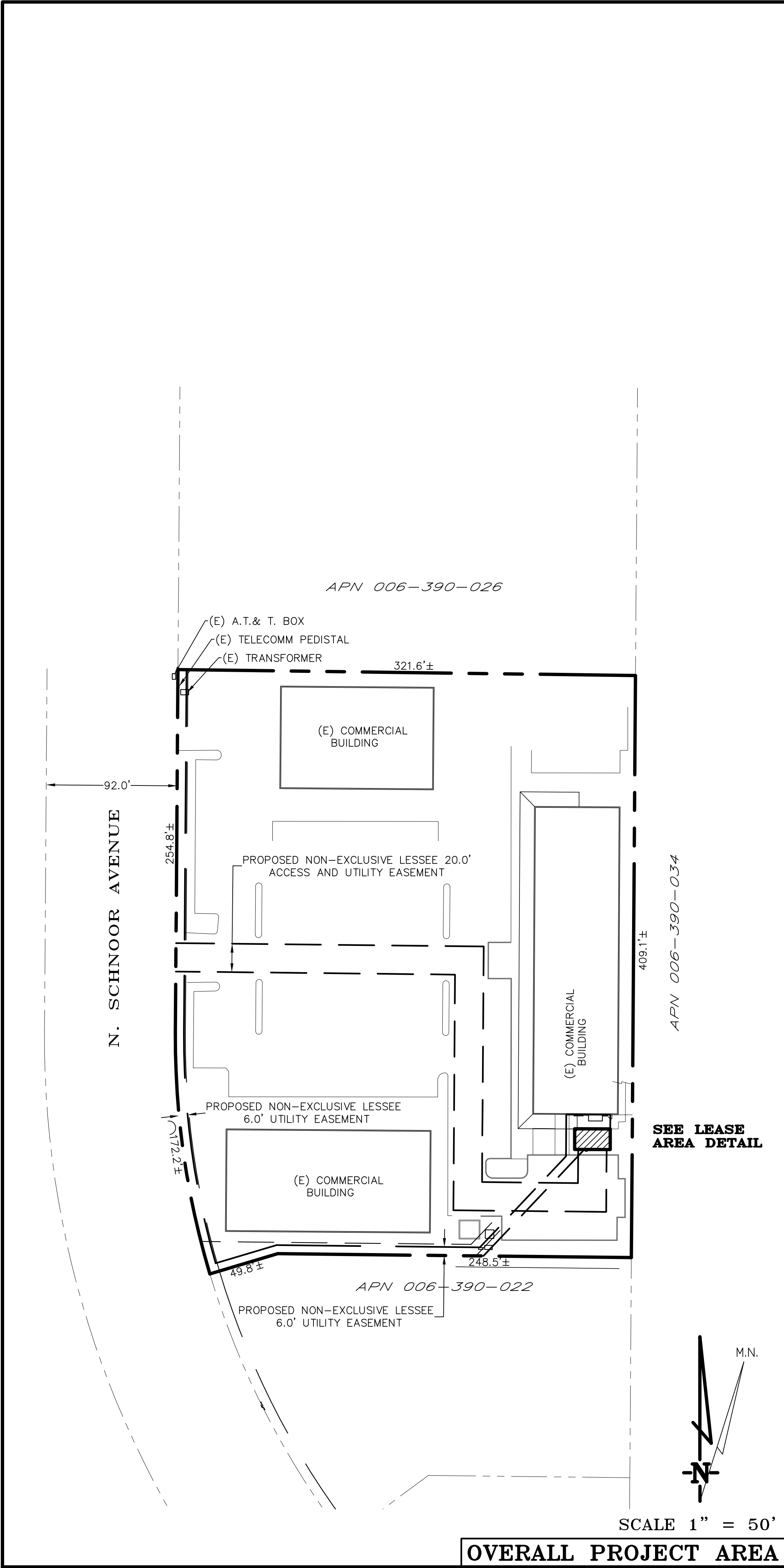
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.



MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
GENERAL NOTES,
ABBREVIATIONS,
AND LEGEND

GN-1



Project Name: CVL02167 Halmark Town Center
Project Site Location: 1643 N. Schnoor Avenue
Assessor's Parcel No.: 006-390-027
Madera County

Date of Observation: 06-06-19

Equipment/Procedure Used to Obtain Coordinates: Trimble Pathfinder
Geo XT post processed with Pathfinder Office software.

Type of Antenna Mount: Proposed Monopine

Coordinates

Latitude: N 36°58'21.18" (NAD83) N 36°58'21.38" (NAD27)
Longitude: W 120°04'59.89" (NAD83) W 120°04'56.30" (NAD27)

Latitude: N 36.972550° (NAD83) N 36.972606° (NAD27)
Longitude: W 120.083303° (NAD83) W 120.082306° (NAD27)

ELEVATION of Ground at Structure (NAVD88) 263' AMSL

DATE OF SURVEY: 06-06-19

SURVEYED BY OR UNDER DIRECTION OF: KENNETH D. GEIL, RCE 14803

LOCATED IN THE COUNTY OF MADERA, STATE OF CALIFORNIA

BEARINGS SHOWN ARE BASED UPON MONUMENTS FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.

ELEVATIONS SHOWN ON THIS PLAN ARE BASED UPON U.S.G.S. N.A.V.D. 88 DATUM. ABOVE MEAN SEA LEVEL UNLESS OTHERWISE NOTED.

N.G.V.D. 1929 CORRECTION: SUBTRACT 2.30' FROM ELEVATIONS SHOWN.

FEMA FIRM:FLOOD ZONE X PER FIRM 06039C1155E, DATED 09-26-2008.

CONTOUR INTERVAL: N.A.

ASSESSOR'S PARCEL NUMBER: 006-390-027

OWNER(S): NORTHPOINTE RETAIL LLC
2001 HOWARD RD. #211
MADERA, CA 93637

CVL02167
Lease Area Description

All that certain lease area being a portion of Parcels 3 and 4 as shown on the plat filed in Book 43 of Parcel Maps, Pages 9-11, Madera County, California and being more particularly described as follows:

Equipment Lease Area
Commencing at the Southeast most corner of the aforementioned Parcel 3; thence along the East boundary thereof North 00°24'19" East, 75.82 feet; thence leaving said East boundary North 89°35'41" West 15.44 feet to the True Point of Beginning; thence from said point of beginning, North 89°47'53" West, 25.00 feet; thence North 00°12'07" East, 14.50 feet; thence South 89°47'53" East, 25.00 feet; thence South 00°12'07" West, 14.50 feet to the point of beginning.

Together with easement for access and utility purposes, twenty feet in width, the centerline of which is described as follows: Beginning at a point which bears North 89°35'41" West, 12.5 feet from the Southeast corner of the above described lease area; thence from said point of beginning South 00°24'19" West, 33.75 feet; thence North 89°21'52" West, 87.40 feet; thence North 00°24'19" East, 165.56 feet; thence North 89°21'52" West, 206.3 feet more or less to the public right of way.

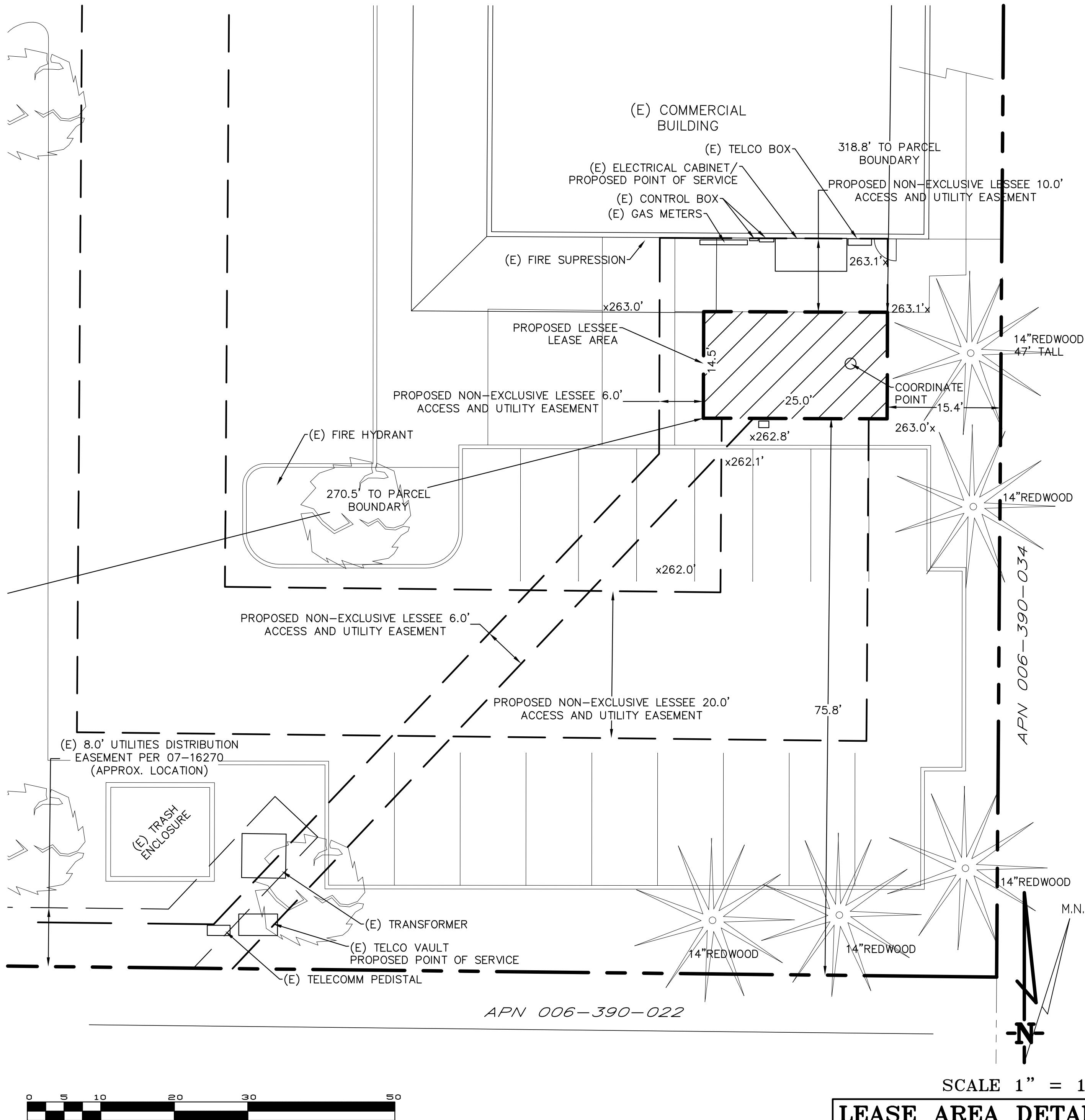
Also together with an easement for utility purposes, six feet in width, the centerline of which is described as follows: Beginning at a point which bears North 89°35'41" West, 22.29 feet from the Southeast corner of the above described lease area; thence from said point of beginning South 43°26'38" West, 98.94 feet more or less to a point which lies 3.0 feet Northerly of the Southern parcel boundary; thence parallel to said parcel boundary North 89°21'52" West, 143.71 feet; thence South 73°25'08" West, 50.27 feet more or less to the public right of way.

Also together with an easement for utility purposes, six feet in width, the centerline of which is described as follows: Beginning at a point which bears North 89°35'41" West, 10.43 feet from the Northeast corner of the above described lease area; thence from said point of beginning North 00°12'07" East, 11.0 feet more or less to an existing utility service connection location.

Also together with an easement for access and utility purposes, six feet in width, coincident with the Western boundary of the above described lease area.

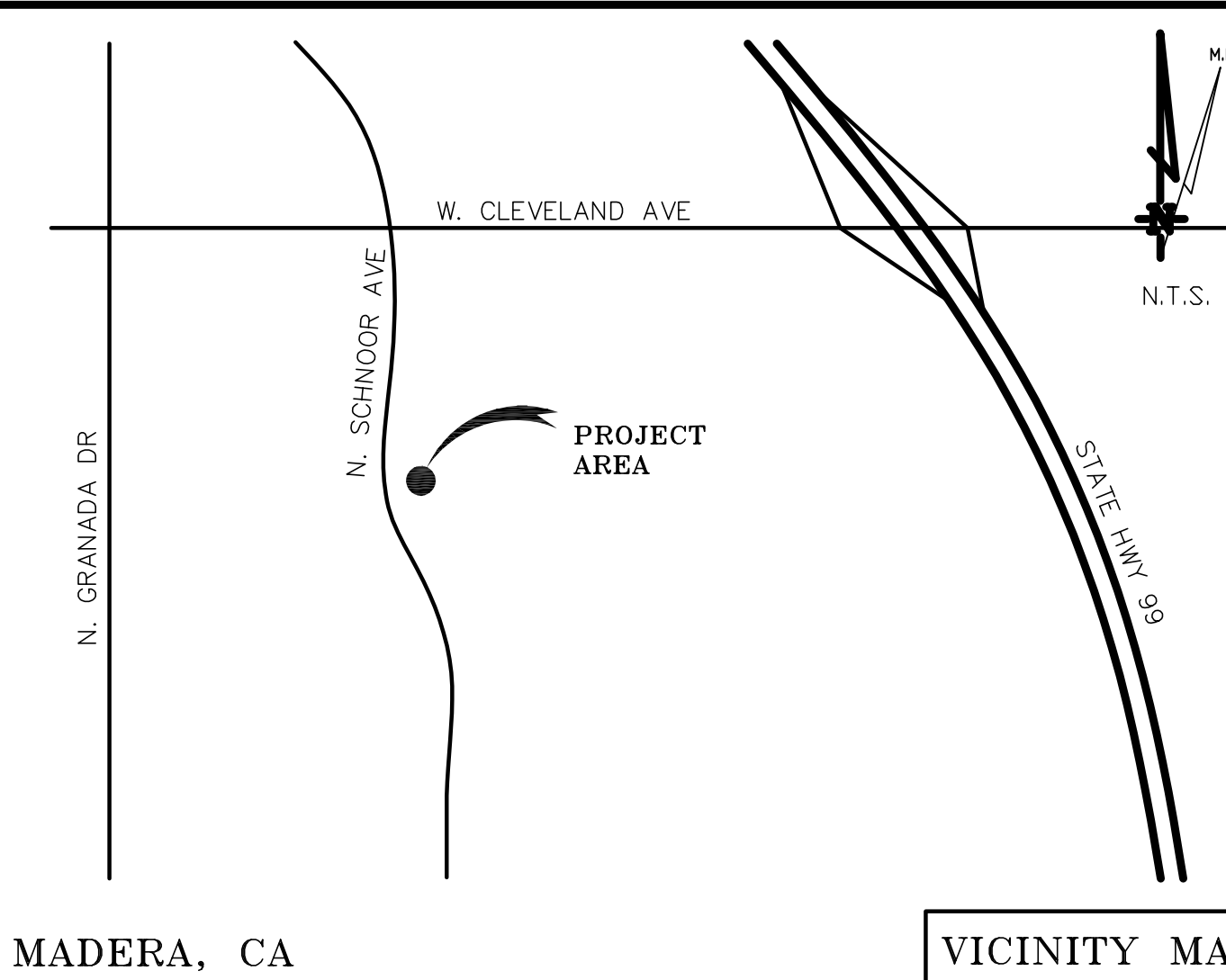
Also together with an easement for access and utility purposes, ten feet in width, coincident with the Northern boundary of the above described lease area.

All together with an easement for utility purposes over an across the Western most 6.0 feet of the aforementioned parcels of land.



THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OF SERVICE, ARE THE EXCLUSIVE PROPERTY OF GEIL ENGINEERING AND THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE AND CARRIER FOR WHICH THEY ARE PREPARED. REUSE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED EXCEPT BY WRITTEN PERMISSION FROM GEIL ENGINEERING. TITLE TO THESE PLANS AND/OR SPECIFICATIONS SHALL REMAIN WITH GEIL ENGINEERING WITHOUT PREJUDICE AND VISUAL CONTACT WITH THEM SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.

BOUNDARY SHOWN IS BASED ON MONUMENTATION FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY LINES AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION FOUND DURING THE FIELD SURVEY. NO EASEMENTS WERE RESEARCHED OR PLOTTED. PROPERTY LINES AND LINES OF TITLE WERE NOT INVESTIGATED NOR SURVEYED. NO PROPERTY MONUMENTS WERE SET.



DEPT	APPROVED	DATE
A&C		
RE		
RF		
INT		
EE\IN		
OPS		
EE\OUT		

Surveyor

GEIL ENGINEERING
ENGINEERING • SURVEYING • PLANNING
1226 HIGH STREET
AUBURN, CALIFORNIA 96905
Phone: (530) 835-1226
Fax: (530) 835-1305

at&t
MOBILITY

CVL02167 Halmark Town Center
1643 N. Schnoor Street
Madera, CA 93637

PLOT PLAN AND SITE TOPOGRAPHY

REVISIONS	DATE	BY	DESCRIPTION
06-19-19	06-19-19	dg	Preliminary Drawing
07-15-19	07-15-19	dg	rev. lease area
09-05-19	09-05-19	dg	esmts. added

Sheet

C-1

ALL PROPERTY BOUNDARIES, ORIENTATION OF TRUE NORTH AND STREET HALF-WIDTHS HAVE BEEN OBTAINED FROM A TAX PARCEL MAP AND EXISTING DRAWINGS AND ARE APPROXIMATE.

1. NO GRADING OR PERMANENT CONSTRUCTION SHALL OCCUR WITHIN DRIP LINES OF TREES THAT ARE TO REMAIN WITHOUT ARBORIST APPROVAL.
2. PRIOR TO CONSTRUCTION, GENERAL CONTRACTOR TO CONTACT DIGALERT TO MARK OUT EXISTING UNDERGROUND UTILITIES. IN THE EVENT OF CONFLICTS, CONTRACTOR TO CONTACT PDC.



CVL02167
HALLMARK TOWN
CENTER -
NORTHPOINTE

2600 Camino Ramon
San Ramon, California 94583



COMPLETE
Wireless Consulting, Inc.

CHECKED BY: TST

[illegible]

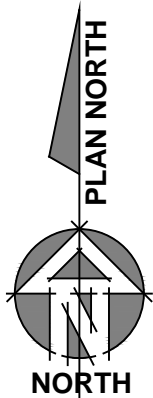
IT IS A VIOLATION OF LAW FOR ANY
PERSON, UNLESS THEY ARE ACTING
UNDER THE DIRECTION OF A LICENSED
PROFESSIONAL ENGINEER, TO ALTER THIS
DOCUMENT.



MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

OVERALL AND ENLARGED SITE PLANS

A-1.1

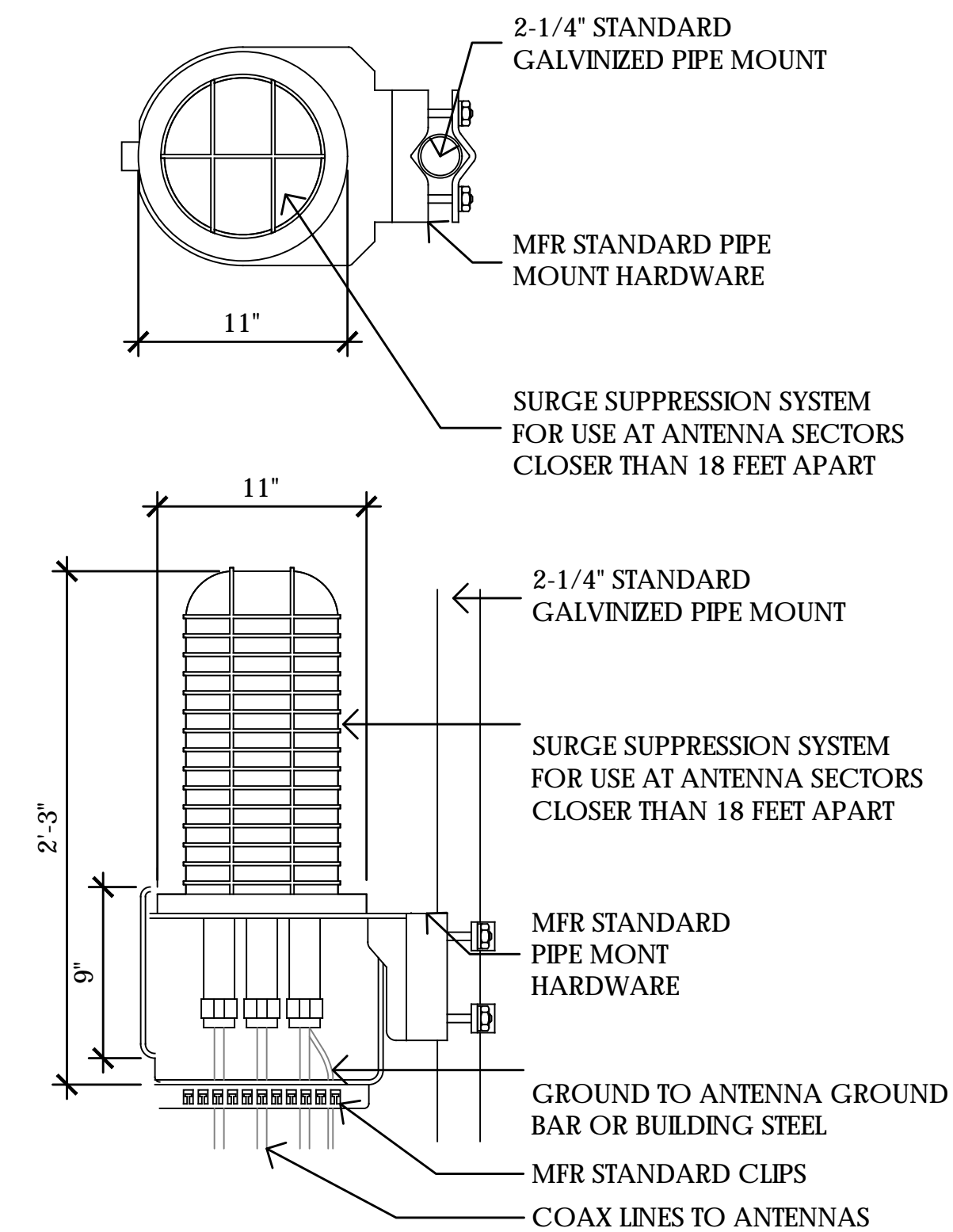


RAYCAP DC6-48-60-18-8F & DC6-48-60-0-8F SURGE SUPPRESSION SOLUTION

COLOR: BLACK/SILVER

DIMENSIONS: 11" DIA X 27" TALL W/ 9" BASE

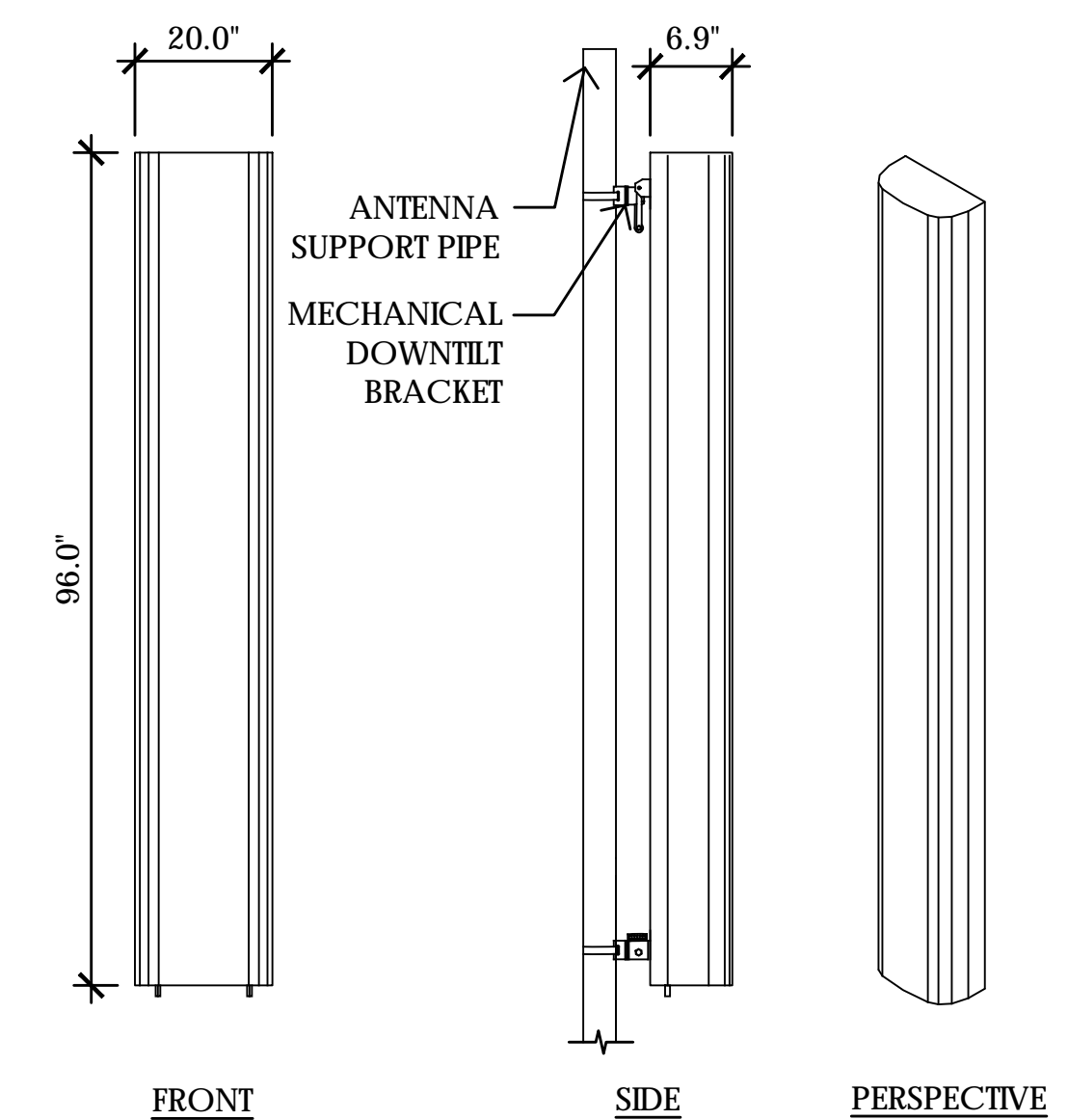
WEIGHT: +/- 50 LBS. (INCLUDING MOUNTING HARDWARE)



4) NOT USED
NONE

2 DC SURGE SUPPRESSION (SQUID)
1-1/2" = 1'-0"

EQUIPMENT SUBJECT TO CHANGE



ANTENNA = KATHREIN (800-10966K)
WEIGHT = 125.7 LBS
DIMENSIONS = 96.0" (H) x 20.0" (W) x 6.9" (D)

3 NOT USED
NONE

1 PROPOSED ANTENNA SPEC

Issued For:

CVL02167
HALLMARK TOWN
CENTER -
NORTHPOINTE

1643 N. SCHNOOR ST.
MADERA, CA. 93637

PREPARED FOR



Vendor:



AT&T SITE NO: CVL02167

PROJECT NO: 162.2531

DRAWN BY: MWS

CHECKED BY: TST

[illegible]

Licensee:

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Architect:



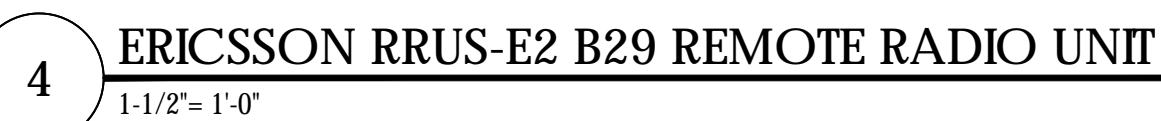
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ANTENNA DETAILS

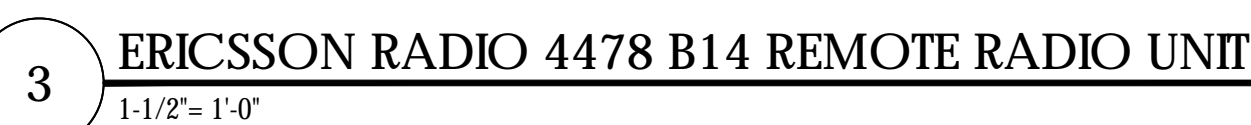
SHEET NUMBER:

A-3.2

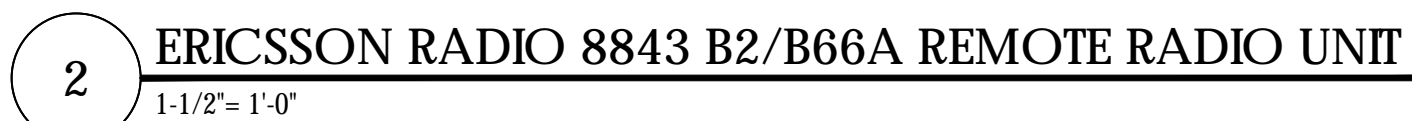
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WEIGHT:	+/- 50 LBS. (INCLUDING MOUNTING HARDWARE)



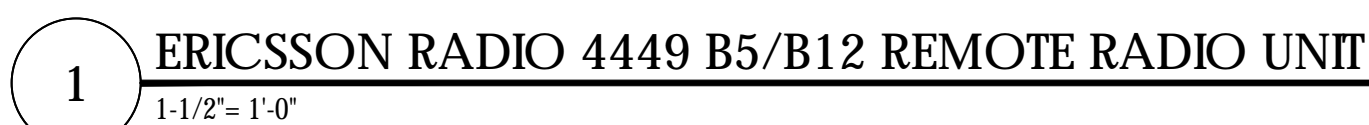
COLOR:	WHITE
DIMENSIONS:	19.7" TALL X 17" WIDE X 7.2" DEEP (INCLUDING SUNSHIELD)
WEIGHT:	+/- 50 LBS. (INCLUDING MOUNTING HARDWARE)



COLOR:	WHITE
DIMENSIONS:	28" TALL X 15" WIDE X 10" DEEP (INCLUDING SUNSHIELD)
WEIGHT:	85 LBS.± (INCLUDING MOUNTING HARDWARE)




COLOR:	WHITE
DIMENSIONS:	28" TALL X 15" WIDE X 10" DEEP (INCLUDING SUNSHIELD)
WEIGHT:	85 LBS± (INCLUDING MOUNTING HARDWARE)



A-3.3

CVL02167
HALLMARK TOWN
CENTER -
NORTHPOINTE

PREPARED FOR

 **at&t**

2600 Camino Ramon
San Ramon, California 94583



COMPLETE
Wireless Consulting, Inc.

CHECKED BY: TST

[illegible]

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PROFESSIONAL ENGINEER, TO ALTER THIS
DOCUMENT.



MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

PROPOSED ELEVATIONS

A-4.1

TOP OF PROPOSED MONOPOLE
64.0' A.G.L.

CENTERLINE OF PROPOSED ANTENNAS
60.0' A.G.L.

CENTERLINE OF FUTURE MICROWAVE
TO BE DETERMINED

FUTURE AT&T MICROWAVE (SIZE, AZIMUTH,
AND LOCATION TO BE DETERMINED)

3'-0" MIN.

PROPOSED AT&T ANTENNAS &
ASSOCIATED TOWER-MOUNTED
EQUIPMENT

PROPOSED AT&T MONOPOLE

PROPOSED AT&T 8'-0"x8'-0" CONCRETE WALK-IN
CABINET ON AN 8'-0"x8'-0" CONCRETE SLAB

PROPOSED AT&T HOODED AND DOWN-TILTED
LED SECURITY LIGHTS AT FRONT AND BACK OF
CONCRETE WALK-IN CABINET

PROPOSED AT&T 8'-0" TALL WOOD FENCE WITH
OVERLAPPING FENCE BOARDS, PAINT TO
MATCH EXISTING TRASH ENCLOSURE

EXISTING AC PAVED PARKING LOT

EXISTING GRADE
0.0' A.G.L. (263.0' A.M.S.L.)

EXISTING BUILDING

EXISTING COVERED WALKWAY

EXISTING ELECTRICAL CABINET,
PROPOSED AT&T POWER P.O.F.

0' 1' 5' 10'

1/4" = 1'-0"

EAST ELEVATION

PROPOSED AT&T ANTENNAS & ASSOCIATED TOWER-MOUNTED EQUIPMENT

TOP OF PROPOSED MONOPOLE
64.0' A.G.L.

CENTERLINE OF PROPOSED ANTENNAS
60.0' A.G.L.

3'-0" MIN.

CENTERLINE OF FUTURE MICROWAVE
TO BE DETERMINED

FUTURE AT&T MICROWAVE (SIZE, AZIMUTH, AND LOCATION TO BE DETERMINED)

PROPOSED AT&T MONOPINE

PROPOSED AT&T 8'-0"x8'-0" CONCRETE WALK-IN CABINET ON AN 8'-0"x8'-0" CONCRETE SLAB

PROPOSED AT&T HOODED AND DOWN-TILTED LED SECURITY LIGHTS AT FRONT AND BACK OF CONCRETE WALK-IN CABINET

PROPOSED AT&T 8'-0" TALL WOOD FENCE WITH OVERLAPPING FENCE BOARDS, PAINT TO MATCH EXISTING TRASH ENCLOSURE

EXISTING COVERED WALKWAY IN FOREGROUND (SHOWN DASHED)

PROPOSED AT&T 8'-0" WIDE ACCESS GATE WITH OVERLAPPING FENCE BOARDS, PAINT TO MATCH EXISTING TRASH ENCLOSURE

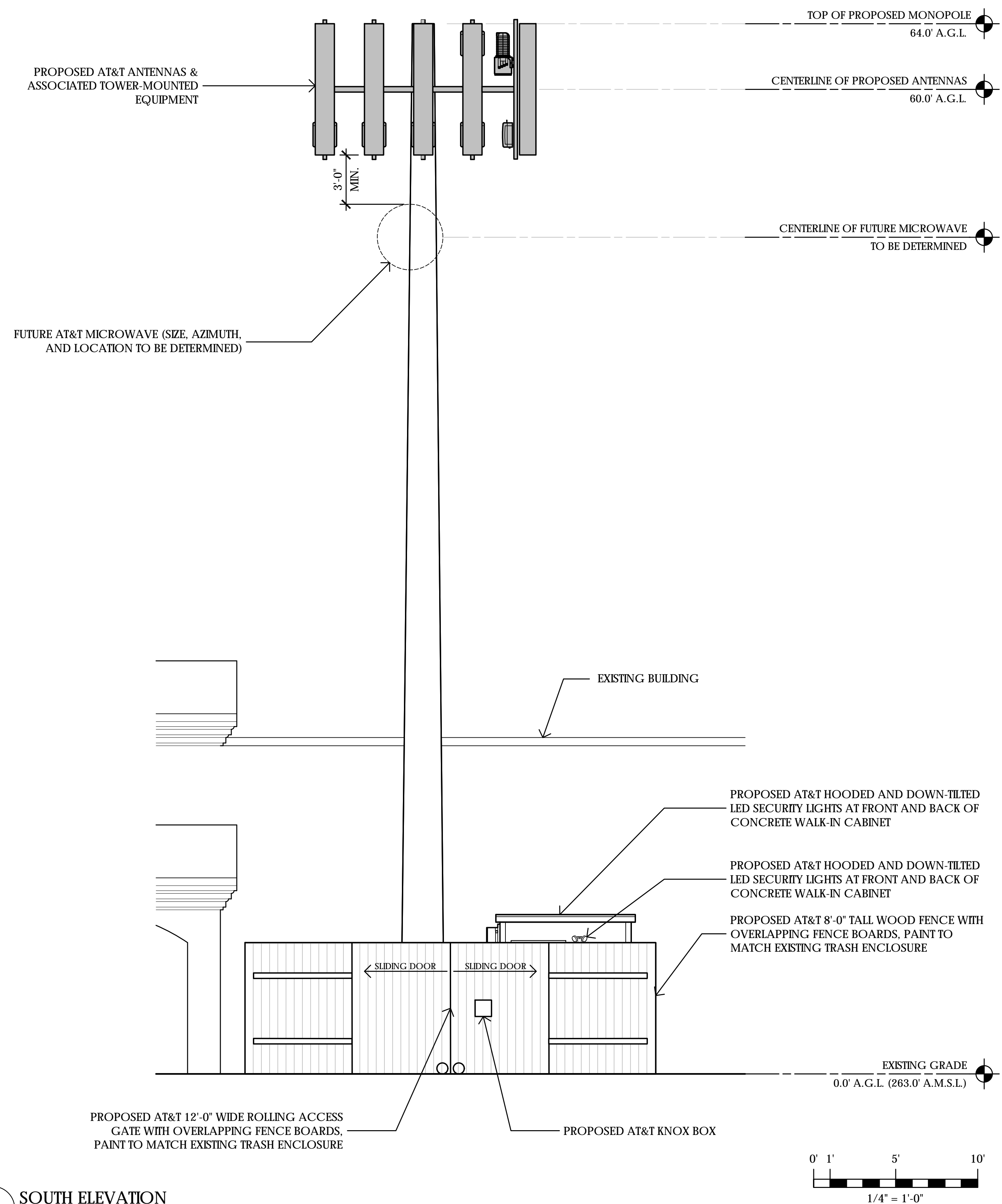
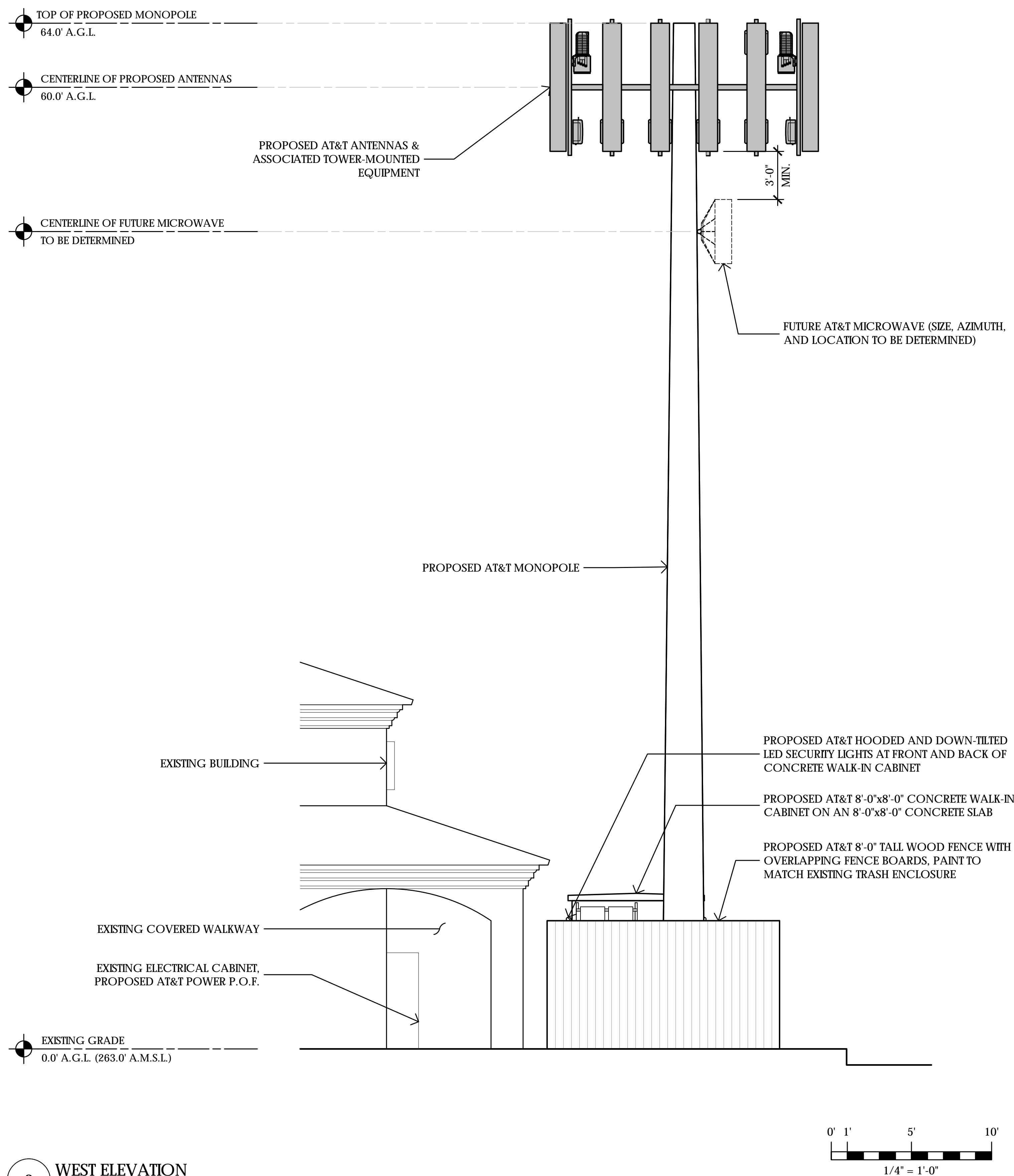
EXISTING GRADE
0.0' A.G.L. (263.0' A.M.S.L.)

PROPOSED AT&T 200A SERVICE METER & DISCONNECT MOUNTED ON THE PROPOSED WOOD FENCE

0' 1' 5' 10'

1/4" = 1'-0"

1 NORTH ELEVATION



Issued For:

CVL02167
HALLMARK TOWN
CENTER -
NORTHPOINTE

1643 N. SCHNOOR ST.
MADERA, CA. 93637

PREPARED FOR



2600 Camino Ramon
San Ramon, California 94583

Vendor:



AT&T SITE NO: CVL02167

PROJECT NO:	162.2531
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DRAWN BY: MWS

CHECKED BY: TST

[illegible]

Licensee:

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Architect:

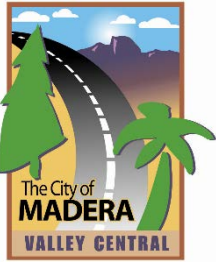


SHEET TITLE:

PROPOSED ELEVATIONS

SHEET NUMBER:

A-4.2



CITY OF MADERA PLANNING COMMISSION

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

Staff Report: Valero Gas Station CUP 2019-16 & 17, SPR 2019-23 & Mitigated Negative Declaration Item #3 – December 10, 2019

PROPOSAL: Consideration of a request for two conditional use permits, to allow for the sale of alcoholic beverages and the sale of tobacco products, and a site plan review to allow the development of a Valero gas station and convenience store.

APPLICANT:	Jasveer Singh	OWNER:	Ralph Pistoresi
ADDRESS:	No Address Assigned	APN:	012-390-023
APPLICATION:	CUP 2019-16, 17 & SPR 2019-23	CEQA:	Mitigated Negative Declaration

LOCATION: The project is located on the northeast corner of Almond Avenue and Gateway Drive.

STREET ACCESS: The property has access to Almond Avenue.

PARCEL SIZE: The project parcel is approximately one acre.

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: CH (Highway Commercial)

SITE CHARACTERISTICS: The project site is vacant commercial land. The immediate surrounding uses to the east are the Springhill Suites hotel and Black Bear Diner restaurant, to the south is Madera Community Hospital, single-family homes and multi-family development, to the north is vacant commercial land and Highway 99, and to the west is vacant commercial land.

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

SUMMARY: The sale of beer, wine and tobacco is common as a component of a gas station and convenience store. The State's Alcoholic Beverage Control Department has a moratorium in Madera County that limits the number of Type 20 off-sale licenses within the County. New establishments requesting the allowance for a Type 20 off-sale licenses must obtain an inter County transfer-only license. The Commission has acknowledged concerns in sensibly locating tobacco sales within commercial areas of the City, mindful of other surrounding sensitive land uses. The nearest schools in proximity to the project site are 1.3 and 1.5 miles away. The project proposal provides high-quality architecture and site design that cumulatively comply with the General Plan and East Almond Avenue Specific Plan.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.902 Highway Commercial Zones – Uses Permitted

MMC § 10-3.4.0101 Site Plan Review

MMC § 10-3.1202 Parking Regulations

MMC § 10-3.1301 Use Permits

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

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 permits 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, or are uses subject to the approval of a conditional use permit.

PRIOR ACTION

Site Plan Review (SPR) 2010-07, approved in April 2011, allowed for the master planned development of 4.1 acres, including the project parcel, as a commercial retail center. Although extensions were provided, that SPR expired after five years of inactivity. Tentative Parcel Map (TPM) 2010-02, approved in September 2010, created the project parcel as well as three undeveloped parcels in proximity to the project site.

ANALYSIS

Operations

The applicant proposes to construct a new Valero gas station to include a fuel island canopy with six product dispensers and twelve positions, and an approximately 4,850 square foot convenience store that includes the proposal to sell alcoholic beverages (beer and wine consistent with Type 20 ABC license) and tobacco products as a component of the business model. The gas station and convenience store are proposed to operate 24 hours a day, seven days a week. The number of projected employees for the gas station is twelve.

Beer and Wine Sales

In January of 1998, Section 23817.5 of the State of California Business and Professions Code was amended to permanently establish a moratorium on the issuance of California State Department of Alcoholic Beverage Control (ABC) licenses for the off-site consumption of beer and wine (Type 20 ABC license) in cities and counties where the ratio of Type 20 licenses exceeds one for each 2,500 inhabitants. The most recent moratorium list of cities and counties was updated on January 30, 2017, which includes all of Madera County. The moratorium specifically prohibits the purchase of a new Type 20 ABC license or

transfer of a Type 20 license from any city or county outside of Madera County. The moratorium does not apply to transferred licenses from within Madera County.

The project site is located within Census Tract 5.02, which currently holds six ABC licenses specific to off-site consumption of alcohol. Although the current census tract allows for a maximum of nine off-site ABC licenses, the benefactor is required to obtain an inter County transfer Type 20 ABC license if the CUP is approved.

The City Council has directed staff to evaluate every application for the sale of alcohol on a case-by-case basis. A convenience store typically sells beer and wine for off-site consumption. Conditions of approval will ensure the sale of beer and wine for off-site consumption in conjunction with the proposed convenience store will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the project site.

Tobacco Sales

In September 2015, the Commission determined the sale of tobacco and tobacco-related products and sundries would require the approval of a conditional use permit. The Commission acknowledged concerns that tobacco sales be located sensibly within the commercial areas of the City, mindful of surrounding land uses. Schools are a primary land use that is negatively affected by the sale of tobacco. The closest schools in the area are Parkwood Elementary School and Madera South High School. Parkwood Elementary School is a half-mile away from the project site as the crow flies, but 1.3 miles away using the closest route. Madera South High School is 0.9 miles away as the crow flies, but 1.5 miles away using the closest route. The City has not adopted an ordinance which specifies the length of distance a tobacco retailer should be from any school or other sensitive use.

Staff recommends the applicant be limited to the sale of cigarettes and tobacco only, consistent with the recommended conditions of approval. No allowance for the sale of e-cigarettes, vape paraphernalia (including juices) and/or marijuana paraphernalia, such as pipes and “bongs”, is proposed.

General Plan Conformance

Projects involving new construction require 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 convenience store and gas station requires analysis of the General Plan’s goals and policies specific to commercial development, including site design, architecture, and landscaping.

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-15 Except where site conditions make it infeasible, new commercial development shall be designed to front or have a presence along all street frontages. The intent of this policy is to enhance the pedestrian scale of new development, and minimize the presence of parking, circulation, and loading areas as the primary visual features of development.

- Policy CD-21 Create safe, inviting, and functional pedestrian and cyclist environments in commercial, office, and mixed-use projects through a variety of techniques, including:*
- *Planting trees to provide shade on pedestrian paths, sidewalks, and walkways;*
 - *Safe, separated pedestrian walkways;*
 - *Safe, visible bicycle parking;*
 - *Shaded walkways;*
 - *Wide sidewalks.*
- Policy CD-22 Commercial developments should have public open space areas such as plazas, courtyards, expanded walkways, or other areas suitable for small gatherings. The facilities should be sized proportionate to the scale of the development.*
- Policy CD-47 Commercial projects shall be designed to minimize the intrusion of parked vehicles on the streetscape. Parking areas, driveways, and drive-through lanes should not be located between buildings and the sidewalk.*
- Policy CD-51 Safe and well-defined pedestrian connections from buildings to parking areas, from buildings to the adjoining street(s), and among buildings on the same site shall be provided. Pedestrian connections between commercial development and surrounding residential neighborhoods shall also be provided. Enhanced paving materials or other techniques shall be used to identify pedestrian connections.*
- Policy CD-57 Where possible, parking lots shall be located behind or on the side of buildings to reduce their visual impact.*

The site layout proposes the building at the corner of the intersection with the parking field adjacent to the building and along the property frontages and a gas station with a canopy on the interior of the property.

The proposed location of the building holds the corner at the primary intersection, providing consistency with Policies CD-2 and CD-15. Shade trees will be planted in the landscaped areas along the street frontage and in landscape peninsulas along with pedestrian walkways from the public right-of-way to the site and building, consistent with Policies CD-21 and CD-51. There are no proposed public open space areas suitable for small gatherings, such as a plaza. Because this development will be a component of a future commercial center, opportunities for public open space areas can still be provided. The parking field is not located between the building and sidewalk, rather it is behind the building, minimizing the intrusion of parked vehicles on the streetscape and reducing their visual impact, consistent with Policies CD-47 and CD-57.

Architecture

- 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-53 Unarticulated, boxy structures shall be broken up by creating horizontal emphasis through the use of trim, varying surfaces, awnings, eaves, or other ornamentation, and by using a combination of complementary colors.*

The proposed building provides a mix of exterior materials including stucco, lapboard siding and stone. The stone wainscoting also wraps around pillars throughout all four sides of the building and along the

primary entrance pop-out. The lapboard siding is primarily provided along the sides and rear of the structure. Larger windows are provided on all four sides, with the primary entrance having awnings above the windows and the remaining three elevation sides having an arched feature around the window. Cumulatively, the materials, pop-outs and windows provide a higher architectural value that breaks up the structure.

Landscaping

Policy CD-50 Parking lots shall be landscaped, including shade trees, to create an attractive pedestrian environment and reduce the impact of heat islands.

Policy CD-58 Parking lots shall be screened and separated into smaller units with landscaping or low walls.

Landscaping is proposed to enhance and embellish the appearance of the project site. Landscaping is proposed between the public rights-of-way and the building and parking field. In order to comply with Policies CD-50 and CD-58, staff recommends conditions of approval to add two landscape peninsulas within the parking field; one on the southeast parking area and one along the primary entrance parking area. Although the addition of landscape peninsulas will decrease the number of parking stalls, there will still be adequate parking for the use.

Parking

The City's parking standards of the Madera Municipal Code (MMC) require that a convenience store have a minimum of one parking stall for each 250 square feet of gross floor area. The convenience store encompasses 4,848 square feet, which provides a minimum requirement of nineteen stalls. The applicant proposes a total number of 24 parking stalls, which adequately serves the proposed use.

Trash Enclosure

The location of the trash enclosure does not seem suitable for any customers parking adjacent to the west of the structure. Staff recommends conditions of approval to change the location of the trash enclosure to the eastern-most parking area.

East Almond Avenue Specific Plan

The project site is located within the East Almond Avenue Specific Plan, which was adopted on October 18, 2000. The Specific Plan's development standards align with the 2009 General Plan's goals and policies, which the project complies with. The Specific Plan anticipated all properties in the CH Zone District include uses such as "mini-mart fueling stations, restaurants, and motels...", which this project proposal also complies with.

Traffic Impact Study

As part of the environmental review process, a traffic impact study was completed. The traffic study analyzed the circulation needs of the project proposal and future surrounding development, which indicated the need for future widening of the intersections at East Almond Avenue and South Gateway Drive, and East Almond Avenue and State Route 99 southbound ramps. Included within the traffic study results and recommendations, off-site improvements immediately adjacent to the project site shall be constructed in the location required to accommodate future intersection geometry. A driveway, while not required by the traffic study for this individual project, will be constructed on South Gateway Drive a minimum of 400 feet north of the intersection of East Almond Avenue and South Gateway Drive that will provide access to the project site.

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 project indirectly supports Action 115.2 of the Vision Madera 2025 Plan, which states, “As a component of the General Plan Update, increase retail outlets and promote Shop Madera...”

RECOMMENDATION

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 2019-16, CUP 2019-17 and SPR 2019-23, subject to the findings and conditions of approval.

PLANNING COMMISSION ACTION

The Commission will be acting on CUP 2019-16, CUP 2019-17, SPR 2019-23 and the Mitigated Negative Declaration.

Motion 1a: Move to adopt a mitigated 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 mitigated negative declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) that determines there is no substantial evidence the project will have a significant effect on the environment, and that the document reflects the independent judgement of the Planning Commission of the City of Madera after considering all of the information in the entire record before it, and is hereby adopted in accordance with CEQA.

(AND)

Motion 1b: Move to approve CUP 2019-16, CUP 2019-17 and SPR 2019-23, subject to the findings and conditions of approval as listed:

Findings

- An initial study and mitigated negative declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) that determines 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.
- The sale of beer, wine and tobacco for off-site consumption in conjunction with the business operations of a convenience store is consistent with the purposes of the C (Commercial) General Plan land use designation and the CH (Highway Commercial) Zone District which provide for the use.
- As conditioned, development of the site is consistent with the Madera General Plan principles, goals and policies.

- As conditioned, the sale of beer, wine and tobacco for off-site consumption will be compatible with the surrounding properties.
- 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 2019-16 and 17 within one year following the date of this approval shall render CUP 2019-16 and 17 null and void unless a written request for extension has been submitted to and approved by the Commission.
3. CUP 2019-16 and 17 may be made null and void without any additional public notice or hearing at any time upon both the benefactors of CUP 2019-16 and 17 and owners of the property voluntarily submitting to the City a written request to permanently extinguish CUP 2019-16 and 17.
4. SPR 2019-23 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 2019-16, 17 and SPR 2019-23 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 Commission within 45 days of the violation to revoke the permits or modify the conditions of approval.
6. All plans submitted for on-site construction or building permits must incorporate and reflect all requirements outlined in the herein listed conditions of approval. Should the need for any deviations from these requirements arise, or for any future changes or additions not considered by the Planning Commission, they may be requested in writing for consideration of approval by the Planning Manager. The Planning Manager may determine that substantive changes require formal modification to the conditional use permit and/or site plan review by the Commission.
7. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specified in the conditions of approval listed herein or mandated by statutes.

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

Building Department

9. At time of submittal for building permit plan check, a minimum of three (3) sets of the following plans to the Building Department is required. Plans shall be prepared by an individual licensed to practice architecture and include the following required drawings drawn to an appropriate scale:
 - a) Site plan bearing City approval or a plan incorporating all site related conditions
 - b) Grading plan prepared by an individual licensed to practice land surveying, civil engineering or architecture
 - c) Floor plan - The uses of all rooms and activity areas shall be identified on the plans
 - d) All exterior elevations
 - e) Site utilities plan showing on-site sanitary sewer, water, storm sewer, water meters, backflow prevention devices, roof drains, etc., and the connections to off-site utilities
10. Current State of California and federal accessibility requirements shall apply to the entire site and all structures and parking thereon. Compliance shall be checked at permit stage, shall be confirmed at final inspection, and shall apply to proposed and future development.

Engineering Department

General

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

19. Prior to issuance of any building permits, a fair share mitigation agreement shall be entered between the applicant and Caltrans. This agreement shall identify and specify the amount, responsibility and timing of the payment towards the interchange improvements for the Freeway 99/Almond Avenue interchange.
20. All on-site and off-site improvements shall be completed prior to issuance of final occupancy.

Sewer

21. The developer shall construct an eight-inch sewer main along Gateway Drive from the intersection of Almond Avenue and Barnett Way to the northerly limits of the project parcel. The sewer main shall be constructed to current City standards. The construction of the sewer main may be waived subject to Master Plan Improvements of all future parcels determining that the sewer main is not required for future development and that capacity will be provided from an existing sewer line between this development and the restaurant and hotel east of the project site.
22. Sewer service connection(s) shall be constructed to current City standards.
23. Sewer main connections 6" and larger diameter shall require manhole installation.
24. Prior to issuance of an encroachment permit, the developer shall reimburse their fair share cost to the City for the previously constructed sewer main along the entire project frontage.
25. Existing septic tanks, if found, shall be removed, permitted and inspected by the City of Madera Building Department.

Storm Drain

26. 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 without constructing portions of the Master Plan Storm Drain improvements. In lieu of constructing Master Plan improvements, the development may construct on-site low impact development measures that limit post-development storm runoff to no more than that generated in a pre-development condition.
27. Storm runoff from this project site is planned to go to the Abshire Basin located south 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.

Streets

28. The developer shall comply with the results of the traffic impact study dated February 7, 2019 and associated City and Caltrans response letters and emails that address project impacts and impacts from buildout of the entire site. A number of options have been provided relative to implementation and timing of improvements. The project developer and master site developer shall provide a written statement of the option(s) chosen prior to submittal of improvement plans and acknowledgement that all remaining improvements will be constructed as part of a future phase or in conjunction with other development mitigation requirements that may participate in those future costs.
29. Access to the site on Almond Avenue shall be limited to the existing shared driveway.

30. The developer shall construct a meandering concrete sidewalk within the public right-of-way and Public Utility and Pedestrian Easement along the entire parcel frontage on Almond Avenue and Gateway Drive per City standards, in a similar manner as that constructed on the hotel site immediately to the east. An unimpeded ADA path of travel shall be maintained at all times.
31. At a minimum, the north side of Almond Avenue along the entire project parcel frontage shall be improved to provide a roadway width of 40 feet from the street centerline to the back of curb to provide for a total of four through lanes and a single left turn lane on Almond Avenue as a whole. All existing improvements that conflict with the required improvements shall be removed and/or relocated. Improvements shall have adequate road and lane transitions with the existing improvements relative to grade and alignment or as directed by the City Engineer. The developer is encouraged, but not required to construct an exclusive right turn lane on the westbound approach in lieu of landscape improvements within the public right-of-way.
32. At a minimum, the east half of Gateway Drive along the entire project frontage shall be improved to a 100-foot arterial street including a sixteen-foot landscaped median per City standards. Adequate transitions with existing improvements relative to grade and alignment shall be provided. All existing improvements that conflict with the required improvements shall be removed and/or relocated.
33. The developer shall implement mitigation measures recommended by the traffic impact study that may result in additional right-of-way dedications and construction of additional improvements along Gateway Drive and Almond Avenue.
34. 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.
35. All public utilities fronting the project parcel shall be undergrounded, except transformers which may be mounted on pads.
36. "No Parking" signs shall be installed along Almond Avenue and Gateway Drive project frontages per City standards.
37. The developer shall install street lights along Almond Avenue and Gateway Drive frontages in accordance with current City standards. Street lights shall be LED using Beta Lighting standards or equal in accordance with City standards.

Water

38. Water service connection(s) shall be 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.
39. A separate water meter and backflow prevention device will be required for landscape area.
40. The developer shall reimburse its fair share cost to the City for the previously constructed water main along the entire project frontage.
41. Existing wells, if any, shall be abandoned as directed and permitted by the City for compliance with State standards.

42. The developer shall construct an eight-inch water main along Gateway Drive from the intersection of Almond Avenue and Barnett Way to the northerly limits of the project parcel. The water main shall be constructed to current City standards.

Fire Department

43. A separate permit is required for the construction of the fuel dispensing system.
44. 2A10BC-rated fire extinguishers shall be required for the retail area at a ratio of one for each 3,000 square feet of floor area. The maximum travel distance to reach a fire extinguisher shall be 75 feet. A minimum of two fire extinguishers shall be required. At least one 40BC-rated fire extinguisher is required for the fueling canopy. One K-class fire extinguisher may be required for the cooking operation.
45. A key box shall be required for access by emergency services personnel.
46. The address shall be posted and be plainly visible from the street.
47. The cooking operation may require a kitchen hood and duct fire suppression system. Final determination for the requirement of a kitchen hood and duct fire suppression system shall be determined by the Fire Marshal during building permit plan check.
48. The location of fire hydrants shall be shown at the time of building permit application. An on-site fire hydrant may be required if there is not a street hydrant within the appropriate distance. Alternatively, an additional street hydrant could be added by the developer.

Planning Department

General

49. Vandalism and graffiti shall be corrected per the MMC.
50. 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.
51. 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.
52. 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.

Beer and Wine Sales

53. CUP 2019-16 allows for the sale of beer and wine for off-site consumption in conjunction with a convenience store. This entitlement requires a Type 20 ABC license to be obtained a transfer license only. The license shall only be transferred from another location within the boundaries of Madera County. Modification of this license type requires amendment of CUP 2019-16.
54. The sale of alcoholic beverages in conjunction with the convenience store shall be restricted to off-site consumption only. No sale of alcoholic beverages for on-site consumption shall be allowed in or occur as a component of the convenience store.

55. There shall be no exterior advertisement or signs of any kind or type placed on the exterior windows or door of the premises promoting or indicating the availability of alcoholic beverages. Signs promoting alcoholic beverages shall not be visible from the exterior of the structure.
56. All indoor display(s) of alcoholic beverages shall be located at least five feet away from the store entrance.
57. The business owner and/or manager shall regularly monitor the area under its control to prevent the loitering of persons about the premises.
58. The business owner and/or manager shall post signs in the area under its control prohibiting open containers and loitering at the location and stating that no loitering will be tolerated.
59. No promotional signage and/or displays promoting alcohol, tobacco and/or tobacco-related products shall be utilized in any way.
60. The applicant shall post "No Smoking" signage to the extent required by law.
61. There shall be no coin-operated video or arcade games. No adult magazines or videos shall be allowed to be sold.
62. Digital security cameras shall be installed to monitor the interior and exterior of the premises. Footage shall be maintained in a digital format of no less than thirty days. Footage will be shared with law enforcement upon request.
63. Cooler doors for alcoholic beverage products shall be locked during hours when alcoholic beverages may not be sold.
64. The sale of beer shall occur in packs of six or greater. However, 24-ounce bottled imported and/or specialty craft beers not normally sold in multi-package containers may be sold individually.
65. The sale of 32-ounce to 40-ounce beer and malt beverage products shall be prohibited.
66. The sale of wine coolers shall occur in no less than packs of four.
67. The sale of wine shall not be sold in containers less than 750 ml.
68. No malt liquor or fortified wine products shall be sold.
69. No display of alcohol shall be made from an ice tub, barrel or similar container.
70. No sale or distribution of alcoholic beverages shall be made from a drive-up or walk-up window.

Tobacco Sales

71. CUP 2019-17 allows for the sale of cigarettes in either single packs or cartons of ten or fewer packs. Other tobacco and tobacco-related products allowed for sale at the convenience store shall be as follows:
 - Smokeless tobacco
 - Roll-your-own pouched/canned cigarette tobacco

- Cigars and cigarillos (except for any flavored products such as grape, watermelon, bubble gum and fruit punch flavored products)
 - Rolling papers
72. Other tobacco and tobacco-related products not allowed for sale at the convenience store shall be as follows:
- Vape products, including juices
 - Hookah products, including hookah tobacco/charcoal
 - E-cigarettes
 - Pipes and pipe tobacco
73. Drug-related paraphernalia, such as bongs, pipes and other products meant for use with non-tobacco substances, as determined by the Planning Manager, are strictly prohibited.
74. All tobacco and tobacco-related products shall be secured behind a counter or other fixture, unavailable to the public except with the assistance of a store employee.

Building and Site Aesthetics

75. The construction of all buildings approved as part of SPR 2019-23 shall be in close conformance with the elevation drawings, as reviewed and approved by the Commission.
76. The construction of buildings approved as part of SPR 2019-23 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 Commission. Any substantial alteration shall require Commission approval.
77. 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
78. All electrical/mechanical equipment shall be located within an electrical/mechanical room in the interior of the structure, with exception to transformers.
79. 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.
80. All parking lot lighting shall be incorporated into landscaped areas.
81. The developer shall contact the City Engineer when all site lighting is operational. Additional light screening may be required.
82. Roof access ladders shall be located within the interior of the building.

Landscaping

83. Two landscape peninsulas shall be incorporated into the parking field; one landscape peninsula located within the eastern parking area and one landscape peninsula located within the primary entrance parking area.
84. A detailed landscaping and irrigation plan shall be prepared by a licensed landscape architect and submitted to and approved by the Planning Department prior to issuance of building permits. The plan shall include:
- Demonstration of compliance with the State of California Model Water Efficient Landscape Ordinance.
 - Landscaped areas shall be developed along all street frontages and within parking fields.
 - Landscaped areas are to be provided with permanent automatic irrigation systems.
 - Shade trees shall be planted every 45 feet in the landscaped area along the Almond Avenue and Gateway Drive frontages.
 - A detailed planting list for landscaping, with the number, size, spacing (where applicable) and specie of all plantings shall be included as part of the approved landscaping plan prepared by a licensed landscape architect.
85. 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.
86. 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

87. Parking stalls shall be developed in close conformance with the approved site plan drawings.
88. 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.
89. On-site parking shall be provided at all times in conformance with the MMC. Further expansion of the use or additional or accessory uses may require the provision of additional parking spaces in compliance with City standards prior to establishment of the use. All required parking shall be permanently maintained with all parking spaces to be shown on plans submitted for building permits. Any modifications in the approved parking layout shall require approval by the Planning Department.

Signage

90. Signage shall be in accordance with City standards, and all signs 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.

91. Address sign designs shall be approved by the Planning Department prior to issuance of building permits.
92. All proposed construction announcement sign uses shall conform to the sign ordinance.

Walls and Fences

93. A trash enclosure shall be constructed of masonry block consistent with City standards with a stucco finish and color to match the primary structure. The location of the trash enclosure shall be located at the eastern-most section of the eastern parking area.

San Joaquin Valley Air Pollution Control District

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

State of California Department of Transportation (Caltrans)

95. The developer shall comply with all rules and regulations of Caltrans' letter dated July 16, 2019.

(OR)

Motion 2: Move to continue the public hearing on CUP 2019-16, 17 and SPR 2019-23 to the January 14, 2020 Commission hearing, for the following reasons: (specify)

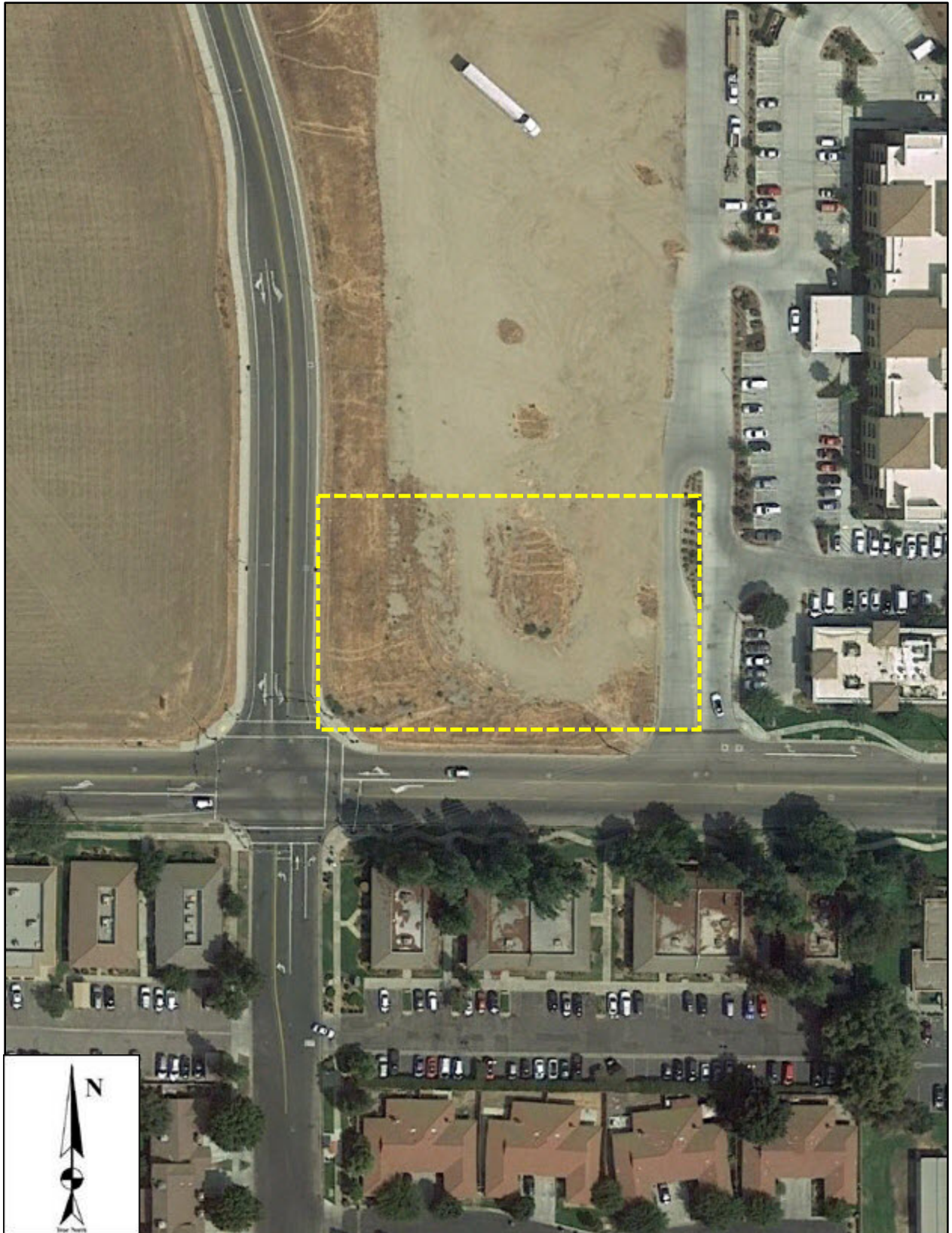
(OR)

Motion 3: Move to deny the application for CUP 2019-16, 17 and SPR 2019-23, based on the following findings: (specify)

ATTACHMENTS

Attachment 1: Aerial Map
Attachment 2: Caltrans Letter
Attachment 3: Initial Study and Mitigated Negative Declaration
Attachment 4: Site Plan, Floor Plan and Elevations

Attachment 1: Aerial Map



Attachment 2: Caltrans Letter

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

Gavin Newsom, Governor

DEPARTMENT OF TRANSPORTATION

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



Making Conservation
a California Way of Life.

July 16, 2019

06-MAD-99-9.591
Proposed Valero Gas Station
CUP 2019-09/10 and SPR 2019-17

SENT VIA EMAIL

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

Dear Mr. Holt:

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

We provide these comments consistent with the State's smart mobility goals that support a vibrant economy and build communities. The following comments are based on an application for two conditional use permits and a site plan review to allow for the sale of beer, wine and tobacco in conjunction with the construction of a Valero gas station and mini mart located on property on the northeast corner of the intersection of Gateway Drive and Almond Avenue approximately 600 feet west of the State Route (SR) 99 southbound off-ramp:

We previously provided a comment dated May 14, 2019 on the traffic impact study prepared by Peters Engineering Group, those comments shall still apply. Caltrans comment letter dated May 14, 2019 is attached.

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

Sincerely,

DAVID PADILLA
Associate Transportation Planner
Division of Transportation Planning

Attachment: Caltrans Comment Letter – Proposed Valero Gas Station, Traffic Impact Study -
Revised

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

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to enhance California's economy and livability"*

DEPARTMENT OF TRANSPORTATION

DISTRICT 6

1352 WEST OLIVE AVENUE

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Making Conservation
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May 14, 2019

06-MAD-99-9.591
Proposed Valero Gas Station
Traffic Impact Study
REVISEDSENT VIA EMAILMr. Robert Holt
Assistant Planner
City of Madera
205 W 4th Street
Madera, CA 93637

Dear Mr. Holt:

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

We provide these comments consistent with the State's smart mobility goals that support a vibrant economy and build communities. The following comments are based on the traffic impact study (TIS) prepared by Peters Engineering Group dated February 7, 2019 for the proposed Valero gas station and mini mart. The Project is proposing to construct a 12 fueling position gas station and a 4,848 square-foot mini mart located on the northeast corner of Almond Avenue and Gateway Drive/Barnett Way, approximately 300 feet west of the State Route (SR) 99 southbound off-ramp. In addition, three proposed fast-food restaurants on the Project site is planned in a future phase. The restaurant trips are included in the Cumulative 2040 With-Project (Full-Build) Conditions. A proposed 140 units apartment complex located on the northwest corner of the alignments of Gary Lane and Barnett Way was also included in the Cumulative 2040 traffic volumes:

1. Refer to Section 13.3 – *Cumulative 2040 With-Project Conditions*, page 12 of the TIS, a separate right-turn lane at the southbound off-ramp to Almond Avenue should be provided if the roundabout is the preferred alternative.
2. If there are safety and/or operational concerns in the future at the SR 99 southbound off-ramp/Almond Avenue intersection, a roundabout may be an option and it should be considered. A detailed SR 99 southbound off-ramp intersection traffic study will be needed in the future.
3. For informational purposes: A ramp meter for the SR 99 southbound loop on-ramp is planned. When the southbound loop on-ramp is metered, then on-ramp will need to be widened to minimum of two lanes, (one HOV lane, and one mixed-flow lane).
4. Refer to Figures 5 – *Peak-Hour Project Traffic Distribution Percentages* and Figure 6 – *Peak Hour Primary Project Traffic Volumes* of the TIS, the Project trip distribution showed 30 percent would originate from northbound SR 99. The 30 percent Project trips from northbound SR 99 would also impact the northbound SR 99 off-ramp intersection at Gateway Drive. Therefore, this intersection should have been studied.

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Mr. Robert Holt
May 14, 2019
Page 2

5. Two closely spaced intersections on Almond Avenue between Gateway Drive and SR 99 southbound off-ramp would require two through lanes (on Almond Avenue) in the future. Therefore, additional right of way along Almond Avenue between these two intersections would be needed.
6. Two-through-lanes on Almond Avenue at SR 99 southbound off-ramp intersection should be provided in addition to the recommended lane configuration presented in the TIS.
7. When traffic signals are installed at the Almond Avenue/Gateway Drive intersection and if traffic signals are installed at the SR 99/Almond Avenue southbound off-ramp intersection, then those signals should be coordinated.
8. At the intersection of Almond Avenue and Gateway Drive/Barnett Way, the proposed dual eastbound left-turn lanes and single WB left-turn lane on Almond Avenue will require transition at the intersection. Therefore, additional right of way along Almond Avenue may be required.
9. In response to the City of Madera comment letter dated March 8, 2019, the City should consider a separate westbound right-turn lane the of Almond Avenue and Gateway Drive/Barnett Way intersection. Based on the Synchro sheets for the Cumulative 2040 With Project-AM-Mitigated and the Cumulative 2040 With Project-PM-Mitigated, the westbound right-turn volumes show 272 and 243 respectively.
10. If a roundabout at the intersection of Almond Avenue/Gateway Drive would be constructed in the future, additional right of way at the intersection will be needed.
11. We concur with Table 15 – Equitable Share Responsibility Calculations on page 16 of the TIS, therefore, the Project proponent should be its equitable share. The Project proponent should prepare a cost estimate in order to determine the Equitable Share cost based on the recommended improvements described in Table 15. The Equitable Share Responsibility should be made as a Condition of Approval and paid prior to "Occupancy".

The City of Madera has permitting authority for the intersection of Almond Avenue and Gateway Drive/Barnett Way. Also, the segment of Almond Avenue between Gateway Drive/Barnett Way and SR 99 southbound off-ramp. Therefore, any comments related to those facilities are at the discretion of the City. Any work within the State's right-of-way will require an encroachment permit issued by Caltrans.

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

Sincerely,



DAVID PADILLA
Associate Transportation Planner
Division of Transportation Planning

c: Michael Navarro, Chief, Planning North Branch, Caltrans
Keith Helmuth, P.E., City Engineer, City of Madera

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Attachment 3: Initial Study and Mitigated Negative Declaration

CITY OF MADERA
INITIAL STUDY / ENVIRONMENTAL CHECKLIST

I. BACKGROUND AND PROJECT DESCRIPTION

1. **Application No.:**
Conditional Use Permit 2019-16, 17 and Site Plan Review 2019-23
2. **Project Title:**
Valero Gas Station
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:**
Northeast corner of East Almond Avenue and South Gateway Drive
6. **Project Applicant's/Sponsor's Name and Address:**
Applicant: JSamak Properties – 363 W. Escalon Avenue, Clovis, CA 93612
Representative: Mark Nakata – 4339 N. Selland Avenue, Fresno, CA 93722
7. **General Plan Designation:**
C (Commercial)
8. **Zoning:**
CH (Highway Commercial)
9. **Project Background:**
The proposal is an application for two conditional use permits to allow for the sale of beer and wine for off-site consumption and the sale of tobacco. A site plan review will accompany the use permits that will guide development of the project to include an approximately 4,850 square foot convenience store, 3,420 square foot fuel canopy structure with twelve fuel pump dispensers, parking field and landscaping.
10. **Public Agencies Whose Approval or Review Is Required:**
Caltrans, Madera Irrigation District and San Joaquin Valley Air Pollution Control District.
11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? 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 commercial land. The immediate surrounding uses to the east are the Springhill Suites hotel and Black Bear Diner restaurant, to the south is Madera Community Hospital and single-family residential homes, to the north is vacant commercial land and Highway 99, and to the west is vacant commercial land.



III. ENVIRONMENTAL CHECKLIST

Environmental Factors Potentially Affected by the Project: Some of the environmental factors checked below would be potentially affected by this project, involving no impacts that are 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

IV. DETERMINATION

On the basis of this initial evaluation:

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

Signature: _____

Date: _____

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><u>Discussion</u></p> <p>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></p> <p>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><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 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.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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 "Grazing Land" on the 2016 California Farmland Mapping and Monitoring Program map.</p> <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 "Grazing Land" on the 2016 California Farmland Mapping and Monitoring Program map, which includes land on which the existing vegetation is suited to the grazing of</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>livestock. The project site has been identified for commercial uses within the City of Madera General Plan, and the land is not currently being utilized for agricultural or grazing 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>				
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</p>				

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

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

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

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

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

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>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> <ul style="list-style-type: none"> 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. 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. iii. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction. Liquefaction describes a phenomenon in which a saturated soil loses strength during an earthquake as a result of induced shearing strains. Lateral and vertical movement of the soil mass combined with loss of bearing usually results. Loose sand, high groundwater conditions (where the water table is less than 30 feet below the surface), higher intensity earthquakes, and particularly long duration of ground shaking are the requisite conditions for liquefaction. iv. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides. 				

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

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<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>				
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				✓

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

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

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<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> <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>				

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<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 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				✓

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delineated on a local general plan, specific plan, or other land use plan?				
No Impacts a) The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. b) The project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.				
13. NOISE: Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?				✓
b) Generation of excessive ground borne vibration or ground borne noise levels?				✓
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
Discussion These potential impacts were addressed in the General Plan EIR, and goals and mitigation measures were adopted to reduce potential impacts to a less than significant level. Development of the project area is consistent with the urbanization of the Madera area, as evaluated in the General Plan, and its EIR; therefore, impacts in this category are not anticipated to exceed the impacts addressed in these documents.				
No Impacts a) The project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies. b) The project would not generate excessive ground borne vibration or ground borne noise levels. c) The project site is not located within the vicinity of a private airstrip or an airport land use plan and would not expose people residing or working in the project area to excessive noise levels.				

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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>				
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</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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>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:				
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</p> <p>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 would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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</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>Potentially Significant Unless Mitigation Incorporated</p> <p>Mitigation Measure 17(a)-1: The off-site improvements relative to traffic impacts shall be consistent with the recommendations of the traffic impact study and resulting Caltrans and City requirements in the attached document dated July 16, 2019, as well as any modifications to the requirements contained therein as part of the final traffic study approval.</p> <p>No Impacts</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:				
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,				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
sacred place, or object with cultural value to a California Native American tribe, and that is: a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe				✓
No Impacts a) The project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and the project is not listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). b) The project is not a resource determined by the lead agency (City of Madera), in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. The project site is not listed as a historical resource in the California Register of Historical Sources.				
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or which could cause significant environmental effects?			✓	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				✓
c) Result in a determination by the wastewater treatment provider which serves or may				✓

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

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

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

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 have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.				

CITY OF MADERA MITIGATION MONITORING PROGRAM

Project Name and/or File Number: Conditional Use Permits 2019-16 and 17
Site Plan Review 2019-23

Project Description: An application for two conditional use permits to allow for the sale of beer and wine for off-site consumption and the sale of tobacco in conjunction with the establishment of a convenience store. An application for a site plan review accompanies the conditional use permits which will guide the development of the project to include an approximately 4,850 square foot convenience store, 3,420 square foot fuel canopy structure with twelve fuel pump dispensers, parking field and landscaping.

Monitoring Phase:

Pre-construction ____; Construction **X**; Pre-occupancy **X**; Post-occupancy ____

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

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

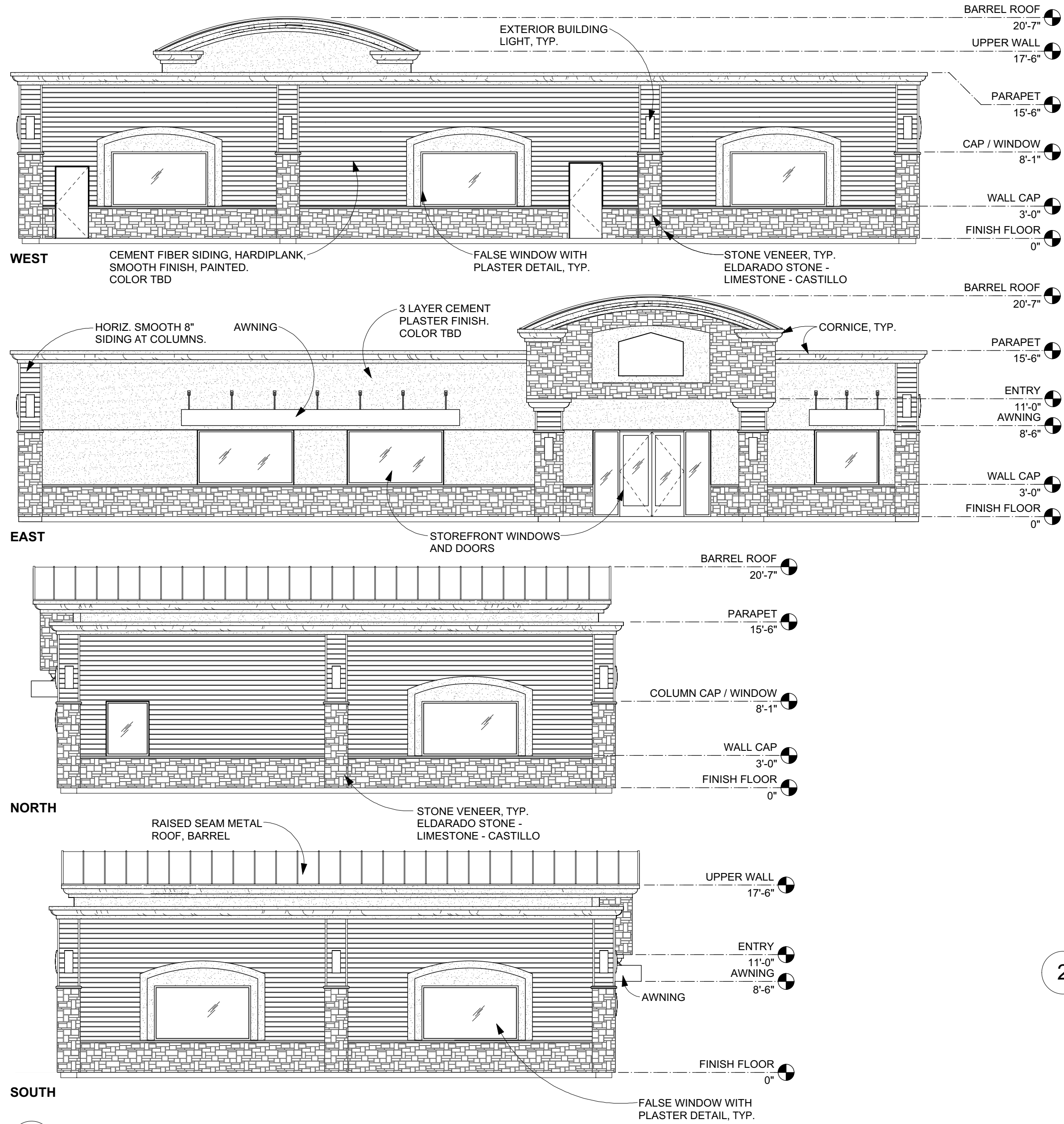
During site development, site visitations, construction management and permit inspections by City staff assure that mitigation measures and conditions are being met. Failure to meet any condition of development may lead to a suspension of construction activities and code enforcement action.

Conditional Use Permits 2019-16, 17 and Site Plan Review 2019-23 Mitigation Measures

17. Transportation/Traffic

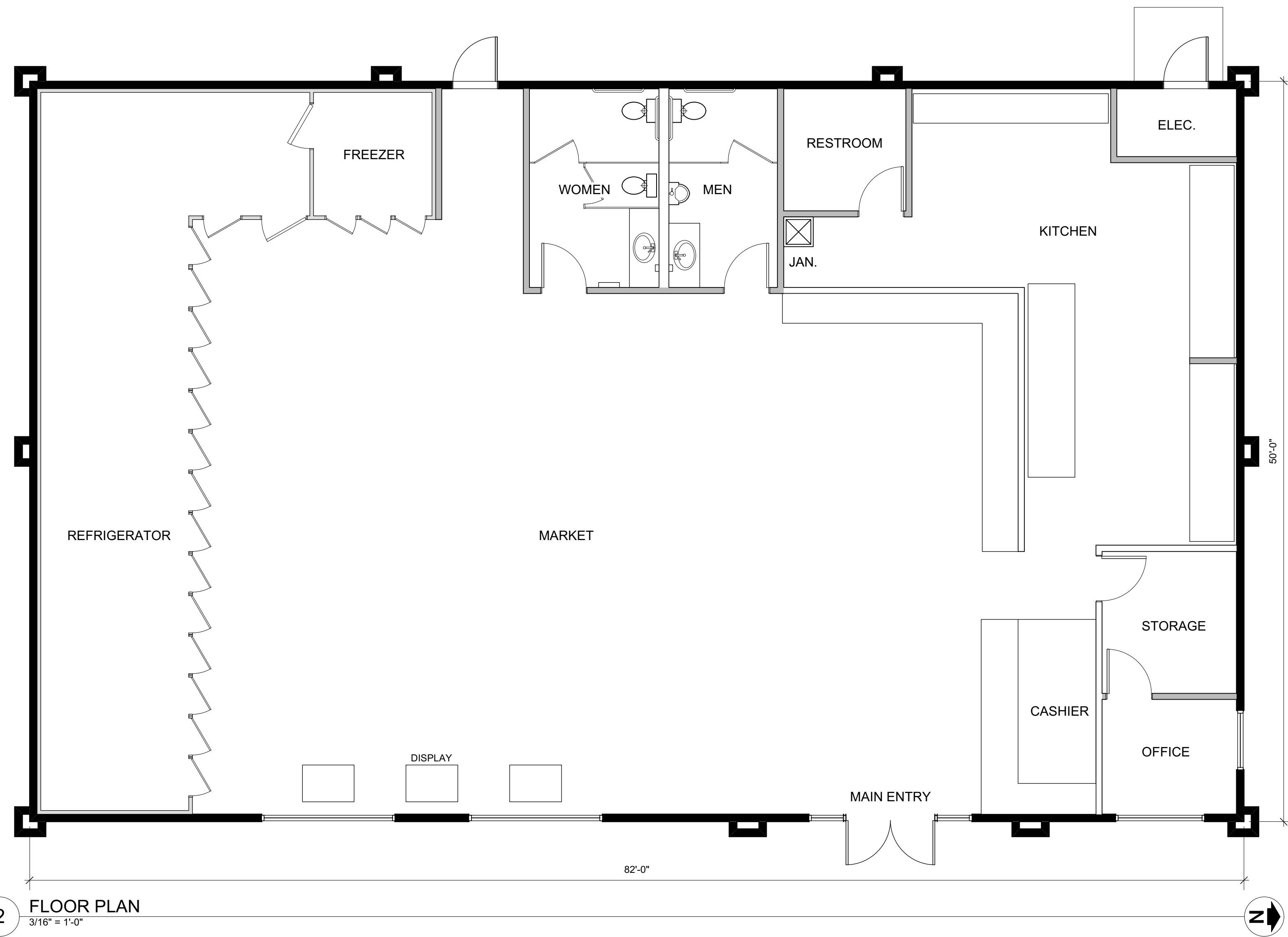
17(a)-1 The off-site improvements relative to traffic impacts shall be consistent with the recommendations of the traffic impact study and resulting Caltrans and City requirements in the attached document dated July 16, 2019, as well as any modifications to the requirements contained therein as part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

Attachment 4: Site Plan, Floor Plan and Elevations



3 STORE ELEVATIONS
1/8" = 1'-0"

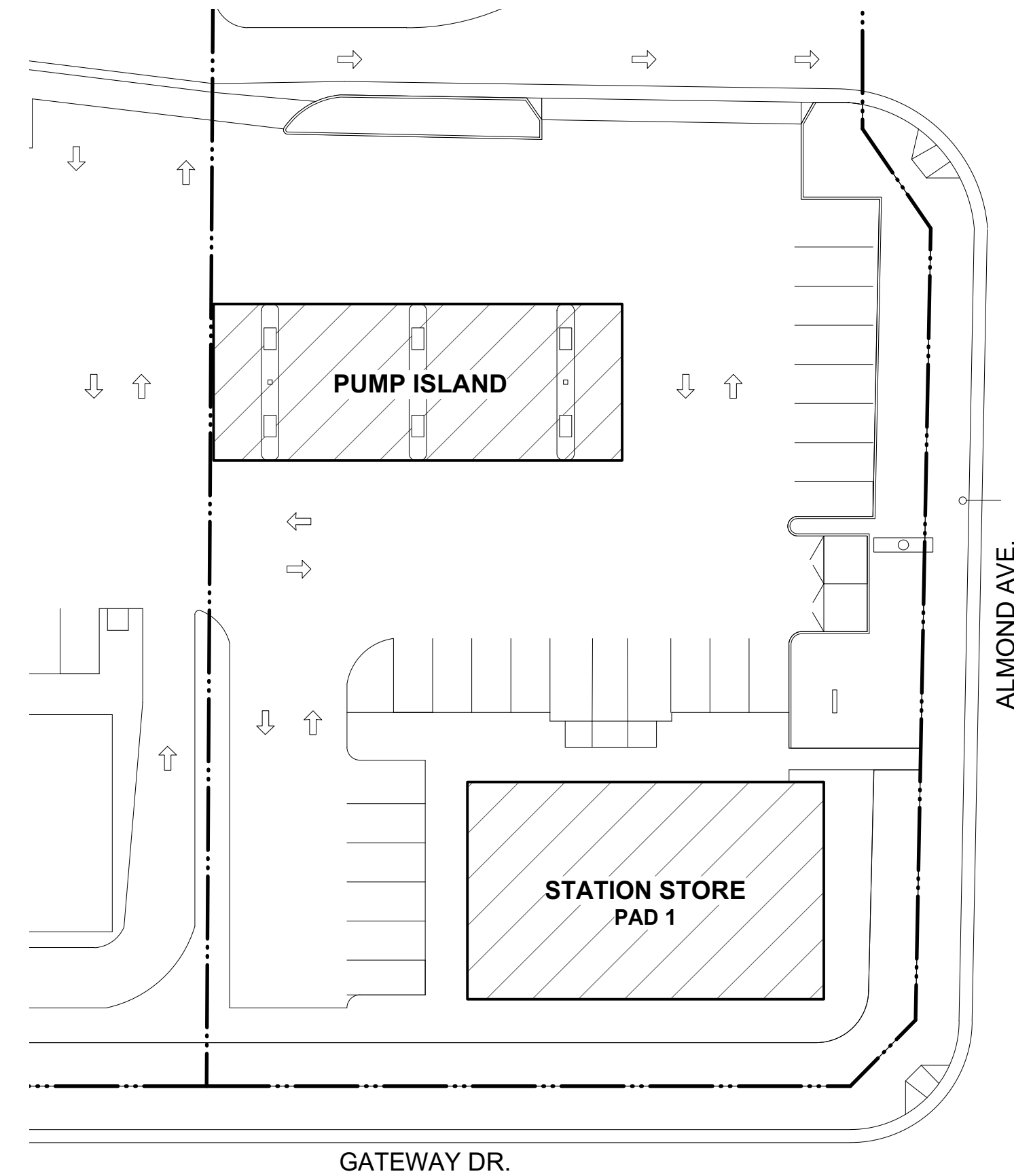
2 FLOOR PLAN
3/16" = 1'-0"



JOB NO. 00000
DATE: 10/27/2019
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4 STATION STORE
3/16" = 1'-0"

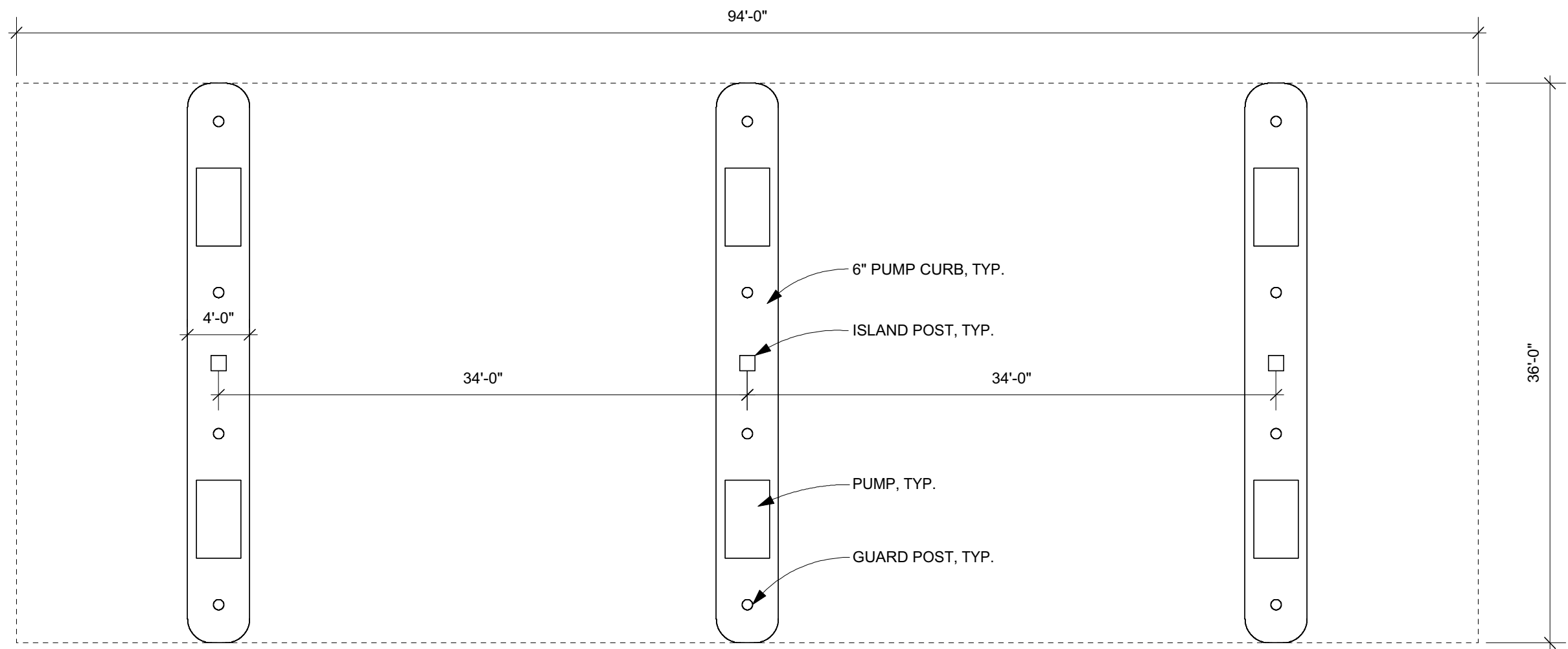


1 SITE LAYOUT
1" = 30'-0"

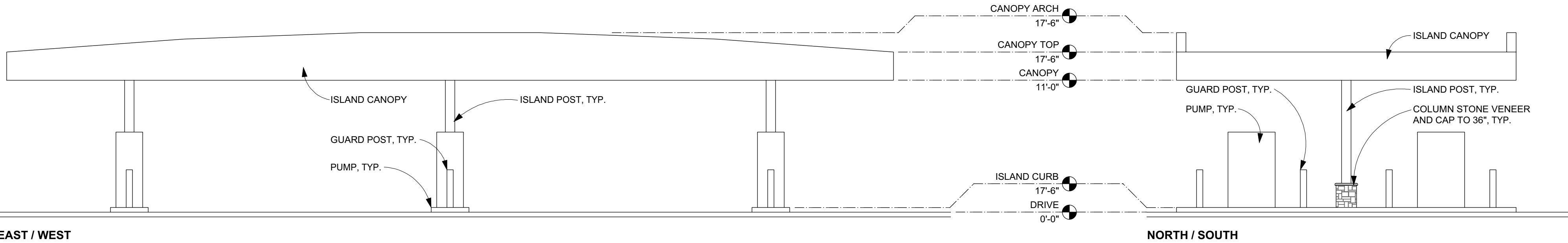
CONCEPTUAL DESIGN FOR:
VALERO GAS STATION
ALMOND AVE., MADERA, CA

REVISIONS	SHEET NO.
	A100
	BUILDING PLANS

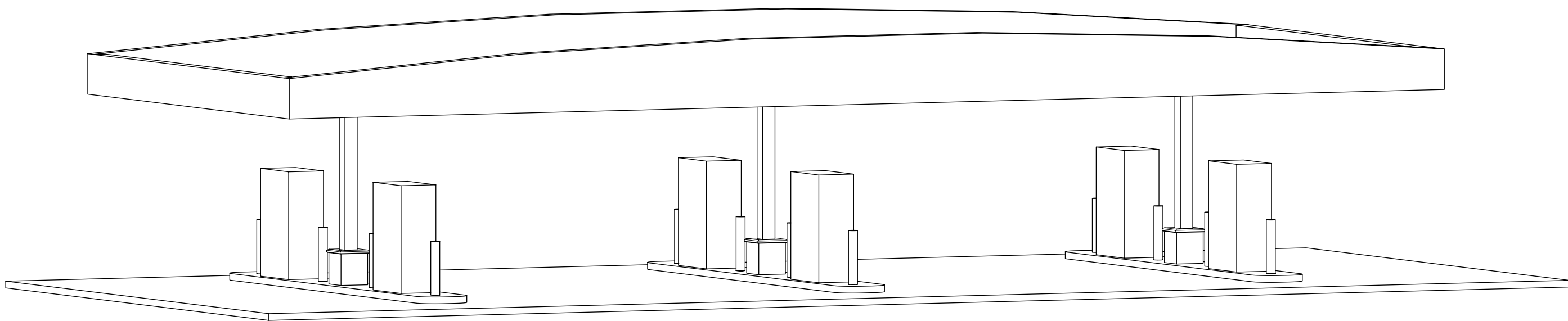




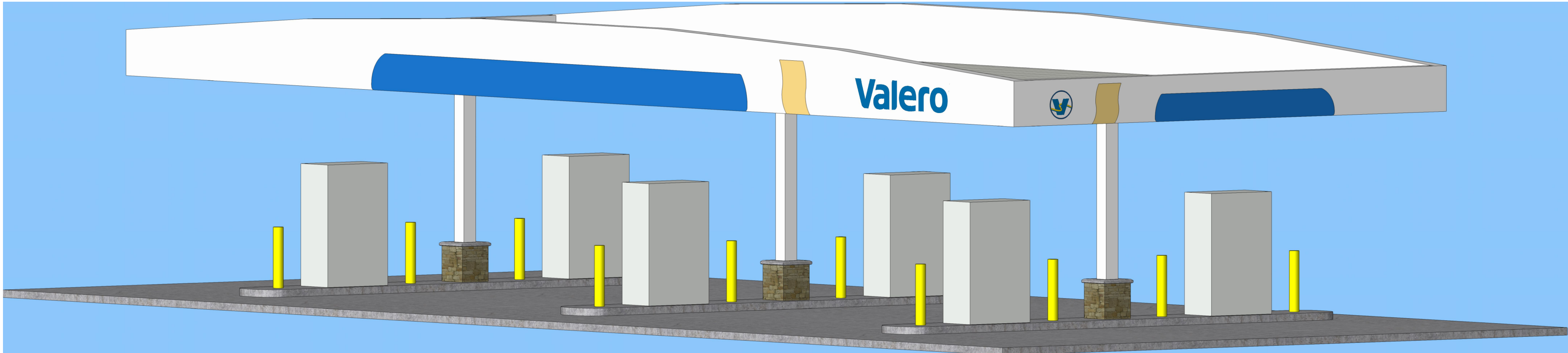
25 GAS ISLAND PLAN
1/8" = 1'-0"



26 GAS ISLAND ELEVATIONS
1/8" = 1'-0"



23 GAS ISLAND
1/8" = 1'-0"



24 GAS ISLAND
3/16" = 1'-0"

ELDORADO STONE LLC
1370 GRAND AVE. BLDG B
SAN MARCOS, CA 92078
PHONE: (760) 736-5232
FAX: (760) 736-5890
www.eldoradostone.com

☒ SELECT DESIRED COLOR:

☐ SAN MARINO
☐ YORK
☐ SAVANNAH

STONE
DIMENSIONS
(APPROXIMATE)

STONE ELEVATION

LIMESTONE IS A TRADITIONAL STONE THAT CONVEYS A TRADITIONAL FORMALITY. IT IS A HAND-CRACKED, CHISELED TEXTURED STONE. ROCKS ARE IN A RECTANGULAR SHAPE PROFILE. THE STONE IS MEDIUM IN SCALE AND RANGES FROM 2" TO 12" IN HEIGHT AND 4" TO 12" IN LENGTH. AND HAS AN AVERAGE STONE SIZE OF 8" BY 12". THE DISTINCTIVE COLOR OF ELDORADO LIMESTONE ARE VERSATILE PALETTES RANGING FROM LIGHTER SOFT GREYS AND TAUPE TO LIGHT COFFEE, SIENNA, RUSTS, AND MORE DEEP MOSS GREENS.

NOTES:

1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
2. DO NOT SCALE DRAWING.
3. THIS DRAWING IS INTENDED FOR USE BY ARCHITECTS, ENGINEERS, CONTRACTORS, CONSULTANTS AND DESIGN PROFESSIONALS FOR PLANNING PURPOSES ONLY. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION.
4. ALL INFORMATION CONTAINED HEREIN WAS CURRENT AT THE TIME OF DEVELOPMENT BUT MUST BE REVIEWED AND APPROVED BY THE PRODUCT MANUFACTURER TO BE CONSIDERED ACCURATE.
5. CONTRACTOR NOTE FOR PRODUCT AND COMPANY INFORMATION VISIT www.cdnash.com/inf AND ENTER REFERENCE NUMBER 571-018

STONE VENEER
LIMESTONE

571-018
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REVISION DATE 04/04/2017
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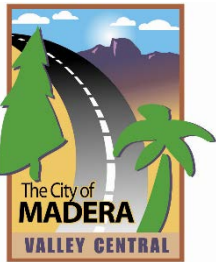
ELDARADO STONE - LIMESTONE - CASTILLO

JOB NO. 00000
DATE: 10/27/2019

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REVISIONS	SHEET NO.
	A101
	ISLAND PLANS





CITY OF MADERA PLANNING COMMISSION

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

Staff Report: Stop-N-Smoke CUP 2019-22 & Categorical Exemption Item # 4 – December 10, 2019

PROPOSAL: Consideration of a request for a conditional use permit to allow for the establishment of a smoke shop to include the sale of tobacco, tobacco products, electronic cigarettes (vapes), water pipes, juices, and other associated paraphernalia.

APPLICANT:	Mustafa Muthanna	OWNER:	Nam Huu Nguyen & NGA Thi Dang
ADDRESS:	1130 Country Club Drive, Ste. B	APN:	003-194-003
APPLICATION:	CUP 2019-22	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 retail 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 the establishment of a smoke shop to include the sale of tobacco, tobacco products, electronic cigarettes (vapes), water pipes, juices, and other associated paraphernalia. The Planning Commission (Commission) has acknowledged concerns in sensibly locating tobacco sales within commercial area of the City, mindful of other surrounding sensitive land uses. There are currently six other tobacco-related businesses within a quarter-mile radius of the proposed site. The Madera County Department of Public Health has expressed concerns regarding the establishment of the use. This item is before the Planning Commission for consideration.

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 based on evidence in the record or condition the project such that the findings can be made, the use should be denied. Conditions may be attached to the approval of the use permit to ensure compatibility, including alternations to project design and site improvements required to make the project compatible with nearby uses, as necessary.

PRIOR ACTION

The site was originally entitled as part of Site Plan Review (SPR) 1986-19, which allowed for the development of 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 feet of retail space with a convenience store and associated fuel stations. There are no discretionary entitlements currently associated with the site.

ANALYSIS

Tobacco in the City

On September 8, 2015, the Commission through the determination of use process concluded that tobacco stores, smoke shops, vape lounges, hookah bars and other businesses selling materials or providing services related to tobacco, vape, electronic cigarettes and hookah may be allowed in C1 (Light Commercial) , C2 (Heavy Commercial) , and I (Industrial) Zone Districts subject to the approval of a use permit by the Commission on a case by case basis. The Commission acknowledged concerns that tobacco sales should be located sensibly within the commercial areas of the City, mindful of surrounding land uses. Schools are a primary land use that is negatively affected by the sale of tobacco.

As part of the use permit routing process, staff advised Madera County Public Health (MCPH) of the request to establish a tobacco smoke shop. MCPH provided comments related to the health impacts of tobacco shops within the community. The letter has been included as Attachment 2.

Operations

The applicant is requesting the allowance to establish a smoke shop to include the sale of tobacco, tobacco products, electronic smoking devices (vapes), water pipes, torches, and other associated paraphernalia within an existing tenant suite. The applicant is anticipating a minimum of 50 customers per day. Hours of operations are proposed to occur between 9 AM to 9 PM, six days a week. The establishment of the use may necessitate minor tenant improvements.

Compatibility

The site is in close proximity to 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 convenience store and gas station, a nail salon, the Camarena Health clinic, and a tattoo parlor. Due to the health clinic's proximity it may reasonably be anticipated that persons with respiratory health concerns will also be visiting the subject commercial site. In consideration of that possibility, staff recommends that no smoking be allowed on the project site and that the applicant post signs to that effect. 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 other tobacco sales within a quarter-mile radius of the project site, staff identified six business locations that offer tobacco sales including one other smoke shop located directly across from the proposed site. According to the City's business license records, the six identified business locations were established prior to the Commission's determination of use in 2015, resulting in the "grandfathering" of the uses without the requirement to secure a use permit. Attachment 3 identifies the six business locations within the quarter-mile radius. Other uses within the quarter-mile radius include single-family and multi-family residential developments, park space, and a movie theater.

As with any other application, staff advises the public to submit written testimony, either positive or negative, to the Planning Department prior to the release of the staff report. At this time, staff has only received public opposition to the approval of the use permit via phone and in person. Individuals indicated the smoke shop would contribute to adverse public health conditions within the community.

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, a personal care service, and a professional office use. Establishment of the smoke shop does not require that additional parking be provided 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
Smoke Shop	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 smoke shop 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 is presented in this report to assist the Planning Commission's consideration of this conditional use permit request. It is recommended that the Commission consider the information in this report, and testimony provided in the public hearing, and make a decision on the CUP 2019-22 request.

PLANNING COMMISSION ACTION

The Commission will be acting on CUP 2019-22 determine to either:

- approve the applications with or without conditions
- continue the hearing, or
- continue the hearing with direction to staff to return with a resolution denying the application

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 2019-22, 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 establishment of the smoke shop is consistent with the determination of use approved by the Commission pm September 8, 2015.
- The operations of the smoke shop are 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 sale of tobacco, tobacco products, electronic cigarettes (vapes), water pipes, juices, and other associated paraphernalia will be compatible with the surrounding properties.
- As conditioned, the project will be consistent with established codes, standards and policies related to traffic safety, street improvements and environmental quality.
- As conditioned, the establishment, maintenance or operation of the use will not, under the circumstance 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 2019-22 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 2019-22 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 2019-22.
4. CUP 2019-22 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 2019-22 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.

Fire Department

10. One, 2A10BC-rated fire extinguisher is required.
11. Door hardware shall open from the inside without the use of a key or any special knowledge or effort.

12. The operator shall provide a key for the knox key box if the door is re-keyed.

Planning Department

General

13. On-site vandalism and graffiti on the project site shall be corrected per the MMC.
14. 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.
15. 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.
16. 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

17. CUP 2019-22 allows for the sale of tobacco, tobacco products, electronic smoking devices, water pipes, and other associated paraphernalia. Products allowed for sale at the location shall be limited as follows:
 - Smokeless tobacco
 - Roll-your-own pouched/canned cigarette tobacco
 - Cigars and cigarillos
 - Rolling papers
 - Vape products, including juices
 - Hookah products, including hookah tobacco/charcoal
 - E-cigarettes
 - Pipes and pipe tobacco
18. No smoking or use of any smoke shop paraphernalia shall be permitted on-site.
19. The smoke shop shall be permitted to operate between the hours of 9 AM until as late as 9 PM, six days a week, consistent with the operational statement.
20. Drug related paraphernalia such as bongs, pipes and other related products shall be secured behind a counter or other fixture, unavailable to the public except with the assistance of a store employee.
21. The interior of the smoke shop shall not be visible from the public right-of-way. Windows shall be tinted to the specifications of the Police Department.
22. 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 smoke shop.
23. The business owner/operator shall comply with all federal, state and local laws and regulations. Material violations of any law shall be cause for review and revocation of this use permit.

24. No person under the age of age of 21, unless otherwise expressed by State/Federal law shall be permitted inside the smoke shop.

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. Smoking graphics, advertising and or sensitive smoking propaganda and/or signs shall not be permitted on windows.
28. Signs shall be posted advising customers that smoking is not permitted on the property.

(OR)

Motion 2: Move to continue the consideration of CUP 2019-22 to the January 14, 2019 Commission hearing

(OR)

Motion 3: Move to continue the matter to January 14, 2020, with direction to staff to return with a resolution denying the application for CUP 2019-22, for further consideration by the Commission.

ATTACHMENTS

Attachment 1: Aerial Map

Attachment 2: County Environmental Health Letter

Attachment 3: Radius Map

Attachment 1: Aerial Map



Attachment 2: Madera County Public Health Letter



October 10, 2019

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

Dear Mr. Orozco,

The Madera County Department of Public Health's Tobacco Control Program would like to express our concerns about another vaping store establishing in the Country Club area. The establishment of a new tobacco retailer can have a negative impact on the overall health of the community. Our environments play an important role in shaping our overall health. Location, density, and types of tobacco retailers in the community can have a negative impact increasing tobacco use rates and contribute to the health inequities of our residents. Research has shown that when we have a high density of tobacco retailers near homes and schools, the community's health suffers. For example, youth are at greater risk of experimenting with smoking/vaping when routinely exposed to tobacco retailers and their advertising.

Having more tobacco retailers in the city of Madera also increases the use of tobacco products among those that are smokers/vapers, resulting in an increase in their risk of addiction and making it harder for them to quit. Increased availability of tobacco products has been linked to the increase of tobacco use among adults and youth. Children are more likely to smoke when they live or go to school in neighborhoods with a high density of tobacco retailers.

The Country Club areas has a high percentage of poverty. More than 47% of its population is at or below the Federal Poverty level. Research has indicated that individuals living in poverty are at higher risk for becoming addicted to tobacco products. When taking a closer look at the neighborhood, you will notice there is a high concentration of convenience stores already selling tobacco products. There are a total of three convenience stores/gas stations, one large grocery store and a tobacco retailer just across the street to the proposed new vape shop.

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That's a total of five establishments in close proximity to the new proposed location. Within the same location you find an FQHC clinic, dental provider, a cinema, and a city park in which children and youth congregate exposing them to tobacco companies marketing which increases children and youth's risk by up to 3x to initiate tobacco use. Currently, more than 15% of youth in Madera County used some form of tobacco in the last 60 days. In the state of California, from 2017 to 2018, tobacco use among youth increased by 78% accounting for more than 3.8 million youth, mostly due to the use of e-cigarettes. If the high rates of tobacco use continue at the current rate more than 5.8 million youth under age of 18 will die of premature death due to smoking related illness.

In the last several months, a total of 23 people have died from vaping related illness. Three of those deaths were reported in California. Over 1,299 cases of vaping related illnesses have been reported and 15% of cases are among patients under the age of 18. Many County's across California have already adopted policies that restrict location and density to help protect the health of their communities. Recently, the Madera City Council voted to amend and update the City's smoking regulations to protect the health of the community by adopting a smoke and vape-free parks policy. The new smoking regulations will help protect community members visiting a local park from exposure to secondhand smoke and promote healthy habits. Approving this new establishment would be a step back in finding a solution to the high rates of tobacco use among youth and will have detrimental consequences to the health of our community.

Thank you.

Alan Gilmore

Alan Gilmore, Program Manager

Sources: CDC, CDPH, and HSHC



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Attachment 3: Radius Map

