

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

**CITY HALL – COUNCIL CHAMBERS  
TUESDAY  
June 9, 2020  
6:00 pm**

This meeting will be conducted pursuant to the provisions of the Governor's Executive Order which suspends certain requirements of the Ralph M. Brown Act. Members of the public may participate in the meeting remotely through an electronic meeting in the following ways; via phone by dialing (669) 900-6833 enter ID: 98021030178# followed by \*9 on your phone when prompted to signal you would like to speak, or by computer at <https://www.zoom.us/j/98021030178>. Public comment will also be accepted via email at [planningcommissionpubliccomment@madera.gov](mailto:planningcommissionpubliccomment@madera.gov)

**CALL TO ORDER**

**ROLL CALL**

Commissioner Israel Cortes (Chairperson)  
Commissioner Robert Gran Jr. (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:** November 12, 2019, December 10, 2019, January 14, 2020 & May 12, 2020

**NON-PUBLIC HEARING ITEMS:** None

## **PUBLIC HEARING ITEMS:**

### **1. GPA 2020-01, SPR 2020-01 & VAR 2020-01 – Sunset Apartments**

A noticed public hearing for an application to consider a general plan amendment, a site plan review and a variance. The applicant is proposing the partial demolition and redesign of the former Gold's Gym into a 15- unit (*originally 20-unit*) apartment complex encompasses approximately 40,000 sq. ft. in the R3 (High Density Residential) Zone District. The applicant is request consideration of a variance from the building setbacks (*originally from the required parking stalls*). The amended planned land use request is from a Commercial land use to a High-Density land use designation, to allow for consistency between the current R3 (High Density Residential) zoning. The project location is on the northeast corner of Sunset Avenue and Orchard Avenue at 1803 Sunset Avenue (APN: 006-182-007). A Negative Declaration will also be considered by the Planning Commission.

### **2. CUP 2020-02 & 03 – Captain Mart & Wireless**

A noticed public hearing to consider two use permits to allow for alcohol sales and cigarette sales in conjunction with a retail grocery store. The project site is located on the southeast corner of Olive Avenue and Martin Street (300 W. Olive Avenue) in the C1 (Light Commercial) Zone District, with a C (Commercial) General Plan land use designation (APN: 012-051-016).

Staff is requesting this item be continued to the July 14<sup>th</sup>, 2020 Planning Commission meeting.

## **ADMINISTRATIVE REPORTS:**

## **COMMISSIONER REPORTS:**

## **ADJOURNMENT:**

The next regular meeting will be held on July 14, 2020.

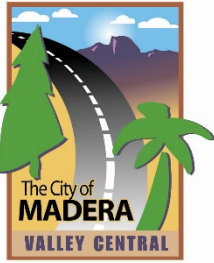
In compliance with the Americans with Disabilities Act, the meeting room is accessible to the physically disabled and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices or translators needed to assist participation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



**CITY OF MADERA  
PLANNING COMMISSION**

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

**Staff Report: Sunset Apartments  
GPA 2020-01, SPR 2020-01, VAR 2020-01 and Negative Declaration  
Item # 1 – June 9, 2020**

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**PROPOSAL:** An application for General Plan Amendment, Site Plan Review and a Variance to allow for the rehabilitation of a property with a fifteen (15) unit apartment complex.

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<b>APPLICANT:</b>	Gary Rogers	<b>OWNER:</b>	Aftab Naz
<b>ADDRESS:</b>	1803 Sunset Avenue	<b>APN:</b>	006-182-007
<b>APPLICATION:</b>	GPA 2020-01, SPR 2020-01 & VAR 2020-01	<b>CEQA:</b>	Negative Declaration

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**LOCATION:** The project site is located on the northeast corner of Sunset Avenue and Orchard Avenue.

**STREET ACCESS:** The project site will have access from Orchard Avenue.

**PARCEL SIZE:** Approximately 0.91-acres

**GENERAL PLAN DESIGNATION:** Current – C (Commercial)  
Proposed – HD (High Density Residential)

**ZONING DISTRICT:** R3 (High Density)

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**SITE CHARACTERISTICS:** The project site is developed property surrounded by single-family residential uses to the north, east, and south and a church to the west.

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

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**SUMMARY:** The proposed General Plan Amendment, Site Plan Review and Variance will facilitate consistency with the current R3 (High Density) zone district and the proposed fifteen-unit apartment complex. The site plan review will guide the development of a fifteen-unit apartment complex consistent with the R3 zoning standards. The variance memorializes nonconforming setbacks of the existing structures that predate adopted ordinance standards. After rigorous reviews and consideration from public input, the apartment complex is anticipated to provide compatibility in comparison to the former athletic club.

## **APPLICABLE CODES AND PROCEDURES**

GC § 65358, General Plan Amendments

MMC § 10-3.1501-06 Amendments

MMC § 10-3.503 R; Density

MMC § 10-3.4.0102 Site Plan Review Applicability

MMC § 10-3.1401 Variances- Necessity

California Public Resources Code § 21000, California Environmental Quality Act (CEQA)

A variance may be granted by the Commission where practical difficulties, unnecessary hardships, or results that are inconsistent with the general purposes of the Zoning Ordinance may result from the strict and literal application of any of the provisions of the ordinance. Necessary conditions for granting a variance can only occur when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance deprives a property owner of privileges enjoyed by other property in the vicinity under identical zoning classification. If the Commission cannot make the appropriate findings, the variance request should be denied. Conditions may be attached to the approval of the variance to ensure compatibility. Project design may be altered and on- or off-site improvements required in order to make the project compatible with nearby uses.

A site plan review is required for all uses of property which involve construction of new structures, or new uses which necessitate on-site improvements. If the Commission cannot make the appropriate findings, the development should be denied. Conditions may be attached to the approval of the site plan to ensure compatibility. Project design may be altered and on- or off-site improvements required in order to make the project compatible with nearby uses. In addition, the application may be subject to further review, modification or revocation by the Commission, as necessary.

## **PRIOR ACTION**

The project site currently encumbers a building that incurred numerous interior modifications for an athletic club use. The athletic club most commonly known as the Golds Gym has been extinguished via the revocation process. Revocation of CUP 1963-23, 1989-30 and 1991-13 was conducted on July 12, 2016 by the Planning Commission and appealed to the City Council on July 25, 2016. The City Council upheld the Commission's decisions on September 21, 2016. In part, the former athletic club was revoked due to nuisance generated upon the surrounding neighborhood and deemed not operating consistent with its original entitlements.

## **ANALYSIS**

### Project Proposal

The project proponent is proposing a General Plan Amendment from a C (Commercial) to an HD (High Density) land use designation to provide consistency between the land use and the current R3 (High Density Residential) zone district. The Site Plan Review application would guide the rehabilitation of the project site. The rehabilitation entails the partial demolition of the

existing building, resulting in two separate apartment buildings accommodate a cumulative total of fifteen units composed of two- and three-bedrooms. The site will also provide open space areas, including two common areas with playground equipment, barbecue areas, required covered and uncovered parking areas, and landscaping surrounded by perimeter fencing. The variance would memorialize any non-conforming building setback requirements of the R3 zone district.

The original proposal has been modified from twenty units which necessitated a variance from parking requirements to fifteen units, eliminating the need for a parking variance. Site design features have also been modified and/or added to be reflective of comments and concerns voiced by surrounding property owners.

#### General Plan Amendment & Zoning

The General Plan currently designates the project site as a C (Commercial) land use. The commercial designation provides for a broad range of commercial related activities and business services including the former athletic club. To that end, the commercial land use is not consistent with the project site's R3 (High Density) zone district. The R3 zone allows for multi-family residential development such as the one being proposed. Due to the inconsistency between zoning and land use, the proponent is requesting an amendment from the C (Commercial) to the HD (High Density Residential) General Plan land use designation.

The density requirements for the HD land use range between 15.1 and 50 dwelling units per acre. As such, the HD land use would allow for the approximately 0.91-acre project site to be developed with 14 and up to 26 units. The R3 zone district allows for residential developments at a ratio of one unit per every 1,800 square feet of site area. As such, the R3 zoning allows for the development of up to 22 units on the project site.

Approval of the amended land use designation will provide consistency with the project site's R3 (High Density) zone district and the proposed fifteen-unit apartment complex.

#### Site Plan Review

The proposal entails the rehabilitation of the former Golds Gym athletic club including the partial demolition resulting in two separate apartment buildings encompassing a cumulative of fifteen units. The building located to the interior north side of the project site is a proposed townhome style apartment building with four units. The building located to the south of the project site fronting Sunset Avenue encompasses eleven units and a community room, with both townhome and standard style units. Two- and three-bedroom units will be available for lease.

The central structural component of the existing building will be demolished. The proposed demolition will allow for the required parking as well as other landscaping features. Access to the site will be solely from the Orchard Avenue street side. The site will provide for a minimum of two designated parking stalls per unit and four guest parking stalls. All parking stalls will be required to be designated to a specific unit.

Other notable key features of site include two open space areas along Orchard Avenue with accompanying barbecue areas, tot-lots, shade structures and perimeter landscaping consistent with the open space requirements, landscaping areas, in conjunction with community room for a total of 11,547 square feet of area used for passive recreational use. To that end, the project is generally consistent with Policy LU-21 which states, “Multi-family projects shall include functional, accessible outdoor areas and improvements which provide space for both private and public gatherings. These may include tot lots; passive recreation areas for sunbathing, lounging, barbecuing, quiet conversation and reading; and private patios or balconies.”

### Variance

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

1. Where practical difficulties, unnecessary hardships, or results inconsistent with the general purposes of this chapter may result from the strict and literal application of any of the provisions of this chapter, a variance may be granted.
2. Variances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the zoning regulations deprives such property of privileges enjoyed by other property in the vicinity under identical zoning classifications. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

### Justification Findings

Madera County Assessor records indicate the property was developed with two structures as early as 1954. Development of the property predates the setback requirements of the R (Residential) development standards of the zoning ordinance adopted in 1961. Though a new use is being proposed, the development on the project site does not include construction of new residential structures, rather the demolition of excess building space and rehabilitation of on-site features to include the exterior building elevations. As such, it should be memorialized that the existing structure fronting Sunset Avenue is encroaching within the required 10-foot street side setback, with a 7-foot 6-inch setback as shown on the site plan. Requiring the existing structures to comply with current setback requirements would constitute a practical difficulty and unnecessary hardship as a result of a strict and literal application of the ordinance.

### Public Infrastructure

Public infrastructure and utilities required by the Madera Municipal Code and the Madera General Plan are available to serve the proposed apartment complex. Existing infrastructure includes sewer, water, storm drainage and street infrastructure consistent with the City’s master plans. Improvements to existing infrastructure may be required as a component of development of the apartment complex.

## CEQA

The General Plan Amendment under review acts as the first step in the eventual development of the site and is subject to compliance with the California Environmental Quality Act (CEQA). The environmental document under review is specific to the General Plan amendment, site plan review, and variance request. Because the project site has been largely developed and the proposed residential use is not anticipated to exacerbate current environmental conditions beyond a "Less Than Significant Impact", a negative declaration has been deemed the appropriate environmental assessment. Unassessed conditions or changes to the project and request thereof may be subject to additional CEQA analysis as a component of the eventual development activity.

## Public Concerns

Concerns regarding the project proposal have been received by the Planning Department both via phone and in writing. Written testimonies have been included as attachment 4. General concerns regarding project are as follows:

1. Affordable Housing (Section 8)
2. Existing and Anticipated Traffic
3. Overdevelopment of the Project Site
4. Street Parking
5. Student and School Route

The project proponent was encouraged to facilitate a neighborhood meeting to discuss concerns from surrounding property owners. A meeting between surrounding property owners and the project proponent did occur on May 8, 2020. Meeting minutes have been included as attachment 5. The project proposal has gone through a rigorous review process and responses to general concerns have been addressed as follows:

1. The project proponent has not discussed with City staff either verbally or in writing the intent to operate an Affordable Housing (Section 8) apartment complex.
2. Existing traffic has been addressed as part of the Environmental Impact Review completed as part of the City's General Plan update completed in 2009. However, the proposed fifteen-unit apartment complex is anticipated to generate AM and PM peak hour trips less than those generated by the former athletic club use. A complete analysis has been included within the Transportation section of the Negative Declaration (attachment 6).
3. The current R3 (High Density) zone district allows for a maximum of one unit per every 1,800 square feet of site area. The proposal is consistent with the zoning; however, the underpinning commercial land use does not allow for the development of the project. Subject to the approval of the City Council, the General Plan Amendment will facilitate consistency with the zoning and project proposal. To that end, the density of the project has also been modified from twenty to fifteen units.
4. The project proposal will provide two designated parking stalls per unit and a minimum of four guest parking stalls consistent with requirements of the Zoning Ordinance. Designated



parking has been included as conditions of approval for the purpose of reducing, if not, eliminating nuisance associated with street parking. In addition to the designated parking, the installation of “No Parking” signs on Sunset Avenue along the property’s street frontage will be required.

5. The initial project proposal included alley parking. Concerns regarding the safety of students in route to school and pedestrians, by utilization of the alley to serve the site was presented. As a result of said concerns, the site design eliminated alley parking, requiring all vehicle access into the site from Orchard Avenue.

### **CONSISTENCY WITH THE VISION MADERA 2025 PLAN**

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

### **RECOMMENDATION**

The information presented in this report provides support for the adoption of a resolution recommending approval of an amendment to the General Plan land use map, adoption of a Negative Declaration for the project by the City Council, and conditional approval of the Site plan Review and Variance request. It is recommended that the Commission consider the information in this report, as well as testimony in the public hearing, and make a determination on the Negative Declaration, GPA 2020-01, SPR 2020-01, and VAR 2020-01, subject to the findings and conditions of approval.

### **PLANNING COMMISSION ACTION**

The Commission will be acting on the Negative Declaration (recommendation), General Plan Amendment 2020-01 (recommendation), Site Plan Review 2020-01 and Variance 2020-01 (contingent action) and determining to either:

- Adopt a Resolution recommending approval to the City Council amending the land use designation for the subject property and a Negative Declaration for the project; and
- Approve the applications with or without conditions; or
- Continue the hearing; or
- Deny the applications

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

**Motion 1a:** Move to adopt a resolution recommending to the City Council approval of the requested General Plan amendment of the subject property, and adopt a Negative Declaration for the project, based on and subject to the findings as listed;

## Findings

- An initial study and negative declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) that determines there is no substantial evidence the project will have a significant effect on the environment, and that the document reflects the independent judgement of the Planning Commission of the City of Madera after considering all of the information in the entire record before it, and is hereby recommended for adoption in accordance with CEQA.
- The proposed General Plan Amendment will provide consistency between the General Plan and Zoning Ordinance.
- The proposed General Plan Amendment and current zoning will allow for the development of the proposed project.

Motion 1b: Move to approve SPR 2020-01 and VAR 2020-01, based on and subject to the findings and conditions of approval as listed;

The approval of SPR 2020-01 and VAR 2020-01 shall become final and effective immediately only after the City Council of the City of Madera both i) adopts the Negative Declaration for the project, and ii) GPA 2020-01 (collectively "Council Approvals"). If all of the Council Approvals are not made within 180 days of the contingent approval by the Planning Commission, then SPR 2020-01 and VAR 2020-01 shall be returned to the Planning Commission for further consideration and a final decision. If Council Approvals are made within 180 days of the adoption of this Resolution, but any change is made by the Council to any of the Council Approvals in a manner that could reasonably affect the findings of the Planning Commission herein, or require a modification or addition of a condition of approval to be consistent with a Council Approval, then SPR 2020-01 and VAR 2020-01 shall be returned to the Planning Commission for further consideration and a final decision.

## Findings

- An initial study and negative declaration have been prepared pursuant to the California Environmental Quality Act (CEQA), which is recommended for approval by the City Council as part of GPA 2020-01.
- City services and utilities are available or can be extended to serve the area.
- Site Plan Review 2020-01 is consistent with the purpose and intent of the R3 (High Density) zone district and does not conflict with City standards or other provision of the Code, contingent upon concurrent approval of Variance 2020-01.
- Site Plan Review 2020-01 satisfies the requirements for precise plans per Madera Municipal Code (MMC) Section 10-3.4.0101, contingent upon concurrent approval of Variance 2020-01.
- Site Plan Review 2020-01 is consistent with the goals and policies of the General Plan.

- Site Plan Review 2020-01 is compatible with the neighborhood and is not expected to be a detriment to the health, safety, peace, comfort or general welfare of the neighborhood or the City.

## **CONDITIONS OF APPROVAL**

### **General Conditions**

1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by receipt in the Planning Department of the applicant's signature upon an Acknowledgement and Acceptance of Conditions within thirty days of the date of approval for this use permit.
2. All plans submitted for on-site construction or building permits shall incorporate and reflect all requirements outlined in the herein listed conditions of approval. In the event deviations from these requirements arise, or for any future changes or additions not considered by the Planning Commission, a request in writing shall be submitted to the Planning Manager for review and approval. The Planning Manager may determine that substantive changes require a formal modification to the site plan, floor plan and/or elevations by the Commission.
3. The project shall be developed in accordance with the conditions of approval listed herein and the approved site plan, floor plans and elevation drawings. Minor modifications to the approved plans necessary to meet regulatory or engineering constraints may be made with the approval of the Planning Manager. All on- and off-site improvements shall be completed in advance of any request for building permit final inspection.
4. SPR 2020-01 shall expire one year from date of issuance unless positive action is taken on the project as provided in the MMC or a request to extend the approval is received before the expiration date (MMC Section 10-3.4.0114, Lapse of Site Plan Approval).
5. SPR 2020-01 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, the property owner and/or manager may be subject to corrective action.
6. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specified in the conditions of approval listed herein or mandated by statutes.
7. It shall be the responsibility of the property owner to ensure that any required permits, inspections and approvals from any regulatory agency shall be obtained from the concerned agency prior to any building permit final issuance.

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

### **Building Department**

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

### **Engineering Department**

#### General

11. Nuisance onsite lighting shall be redirected as requested by City Engineer within 48 hours of notification.
12. Impact fees shall be paid at time of a building permit issuance. Impact fees shall be based on the difference in impact between the existing use and that of the proposed use.
13. The developer shall pay all required fees for completion of project. Fees due may include but shall not be limited to the following: plan review, easement acceptance, encroachment permit processing and improvement inspection fees.
14. Improvement plans signed and sealed by an engineer shall be submitted to the Engineering Department in accordance with the submittal process.
15. The improvement plans for this project shall include the most recent version of the City's General Notes.

16. In the event archeological resources are unearthed or discovered during any construction activities on-site, construction activities shall cease, and the Community Development Director City Engineer shall be notified so that procedures required by state law can be implemented.
17. Improvements within the City right-of-way shall require an encroachment permit from the Engineering Department.
18. All off-site improvements shall be completed prior to issuance of final occupancy.
19. The applicant shall coordinate with the United States Post Office relative to the proposed location of the postal boxes for the project.

#### Sewer

20. New or existing sewer service connection(s) shall be constructed or upgraded to current City standards.
21. The existing sewer connection shall be upgraded to include a cleanout per City standards, if not previously installed.
22. Existing sewer connections that will not be used for this project shall be abandoned at the mains per current City of Madera standards.
23. Sewer main connections 6-inches and larger in diameter shall require manhole installation.

#### Storm Drain

24. Storm runoff from this project will surface drain into existing facilities and eventually into the Madera Irrigation District (MID) canal. Water runoff from the site must be cleaned before entering the existing storm water system to the satisfaction of the MID through the use of an on-site oil/water separator or drop inlet inserts at the drop inlets that receive runoff from the site. The developer shall coordinate with MID and obtain MID's approval signature on the final improvement plans prior to submittal to the City for approval.
25. An MID approval block shall be shown on the final improvement plans.
26. A detailed drainage plan shall be provided to support the design of the drainage conveyance and storage facilities.
27. This project shall, as applicable, comply with the design criteria as listed on the National Pollutant Elimination Systems (NPDES) General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer System (MS4's) as mandated by Water Quality Order No. 2013-0001-DWQ, NPDES General Permit No. CAS000004. For the purpose of this proposed development, post development runoff shall match or be less than pre-development runoff. The development shall be subject to future inspections by City or

other designated agencies relative to the improvements installed as a result of this condition to ensure they remain in compliance with the conditions imposed under this condition.

### Streets

28. The developer shall repair or replace all broken or damaged concrete improvements including curb, gutter, and sidewalk to current City of Madera and ADA standards. The limit of repairs will be established by the City Engineering Inspector.
29. The existing driveway approach on Sunset Avenue shall be abandoned and replaced with curb, gutter and sidewalk.
30. The existing ADA access ramp on the northeast corner of Sunset Avenue and Orchard Avenue shall be upgraded to meet current City and ADA standards.
31. The alley shall be improved along the property frontage to meet City standards.
32. Throat lengths for driveway approaches shall be sufficient in length as to eliminate the possibility of vehicles queuing into the City right-of-way.
33. "No Parking" signs shall be installed along the Sunset Avenue project frontage per City standards.
34. The developer shall annex into and execute such required documents that may be required to participate in Landscape Maintenance Zone District Zone 10A for the purposes of participating in the cost of maintaining landscape improvements within said zone.

### Water

35. Existing or new water service connection(s) shall be upgraded or constructed to current City standards including an Automatic Meter Reading (AMR) water meter installed within the City's right-of-way and a backflow prevention device installed within private property.
36. A separate water meter and backflow prevention device shall be required for landscaped areas.
37. Fire hydrants shall be installed along the property frontage in accordance with City standards as determined by the City of Madera Fire Marshal.
38. Existing water service connections that will not be used for this project shall be abandoned at the mains per City of Madera standards.

## **Fire Department**

39. All improvements to the property shall require a building permit. A separate permit is required for each structure. A separate permit is required for the fire protection systems.
40. Fire access shall comply with the California Fire Code (CFC). Signage to identify fire lanes shall be required.
41. Fire extinguishers shall be provided in accordance with the CFC. A minimum of one 2A10BC rated fire extinguisher is required for each 3,000 square feet or fraction thereof on each floor level and the travel distance shall not exceed 75 feet from any point in the structure to reach a fire extinguisher.
42. Addresses shall be established for each structure and shall be clearly posted on each structure.
43. A location for the fire alarm system shall be required to be provided with a closet for the fire alarm control unit (FACU) which the current plans do not reflect.
44. Plans shall be revised to correct the term from "courtyard" to corridor consistent with CBC.

## **Planning Department**

### General

45. On-site vandalism and graffiti shall be corrected per the MMC.
46. The property owner, operator and/or manager shall keep the property clear of all trash, rubbish and debris at all times, and disposal of refuse shall be restricted to the dumpster on the site.
47. 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.
48. 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.

### Site Plan Review

49. SPR 2020-01 allows for the rehabilitation of the property located at 1803 Sunset Avenue with fifteen units and associated amenities as reviewed and approved by the Commission.
50. The exterior remodel of the building shall be in conformance with the approved elevation drawings, as reviewed and approved by the Commission.

51. The exterior remodel shall be consistent with an approved color and materials board to be reviewed and approved by the Planning Department. Any substantial alteration may be subject to Commission approval as determined by the Planning Manager.
52. Prior to the issuance of 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
53. 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.
54. All parking lot lights/lighting shall be incorporated into landscaped areas.
55. The project proponent shall contact the City Engineer when all site lighting is operational. Additional light screening may be required.

#### Variance

56. VAR 2020-01 memorializes the development of the property with two structures as early as 1954. In the event any of the existing structures necessitates reconstruction due to an act of god or as defined by the Zoning Ordinance, the structures shall be permitted to be constructed consistent with the approved site plan. New constructions not approved as part of the site plan shall be cause for further review by the Planning Department.

#### Landscaping

57. A detailed landscaping and irrigation plan shall be prepared by a licensed landscape architect and be submitted to and approved by the Planning Department prior to issuance of building permits. The plan shall include:
  - Demonstration of compliance with the State of California Model Water Efficient Landscape Ordinance.
  - Areas throughout the project shall be planted so as to provide a minimum of 70% vegetative cover upon maturity.
  - Landscaped areas shall be developed along all street frontages and within parking areas.
  - Shade trees shall be planted in parking areas.
  - Landscaped areas shall be provided with permanent automatic irrigation systems.
  - A detailed planting list for landscaping, with the number, size, spacing (where applicable) and species of all plantings shall be included as part of the approved landscaping plan prepared by a licensed landscape architect.



58. 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.
59. Specifications for open space equipment i.e. barbecue grills, playground equipment, patios and the like, shall be submitted for review and approval by the Planning Department.

#### Parking

60. On-site parking shall be provided at all times in conformance with the Madera Municipal Code. Further expansion of the use or additional or accessory uses may require the provision of additional parking spaces in compliance with City standards prior to the establishment of the use. All required parking shall be permanently maintained with all parking spaces to be shown on plans submitted for building permits. Any modifications in the approved parking layout shall require approval by the Planning Department.
61. Each unit shall be designated with one covered and uncovered parking stall. Designation of parking stalls shall always be clearly visible. Guest parking shall also be designated.
62. Parking stalls shall be developed in close conformance with the approved site plan. Covered parking structures shall be reviewed and approved by the Planning Department.

#### Signage

63. Signage shall be in accordance with City standards, and all signing shall be reviewed and approved by the Planning Department prior to issuance of a separate sign construction permit which may be required by the Building Department.
64. All proposed construction announcement signs used shall conform to the Municipal Sign Ordinance.

#### Walls and Fences

65. A trash enclosure shall be constructed of split-faced masonry block consistent with City standards with a finish color to match the primary structure. The location of the trash enclosure shall be consistent with the approved site plan.
66. Perimeter fencing along the Sunset Avenue and Orchard Avenue frontages shall be of decorative iron or better quality, consistent with the provisions of the ordinance.

#### **San Joaquin Valley Air Pollution Control District**

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

**(OR)**

Motion 2: Move to continue the public hearing on GPA 2020-01, SPR 2020-01, VAR 2020-01 to the July 14, 2020 Commission hearing, for the following reasons: (specify)

**(OR)**

Motion 3: Move to deny the application for GPA 2020-01, SPR 2020-01 and VAR 2020-01, based on the following findings: (specify)

**ATTACHMENTS**

Attachment 1: Aerial Map

Attachment 2: Site Plan, Floor Plan, Landscaping Plan & Elevations

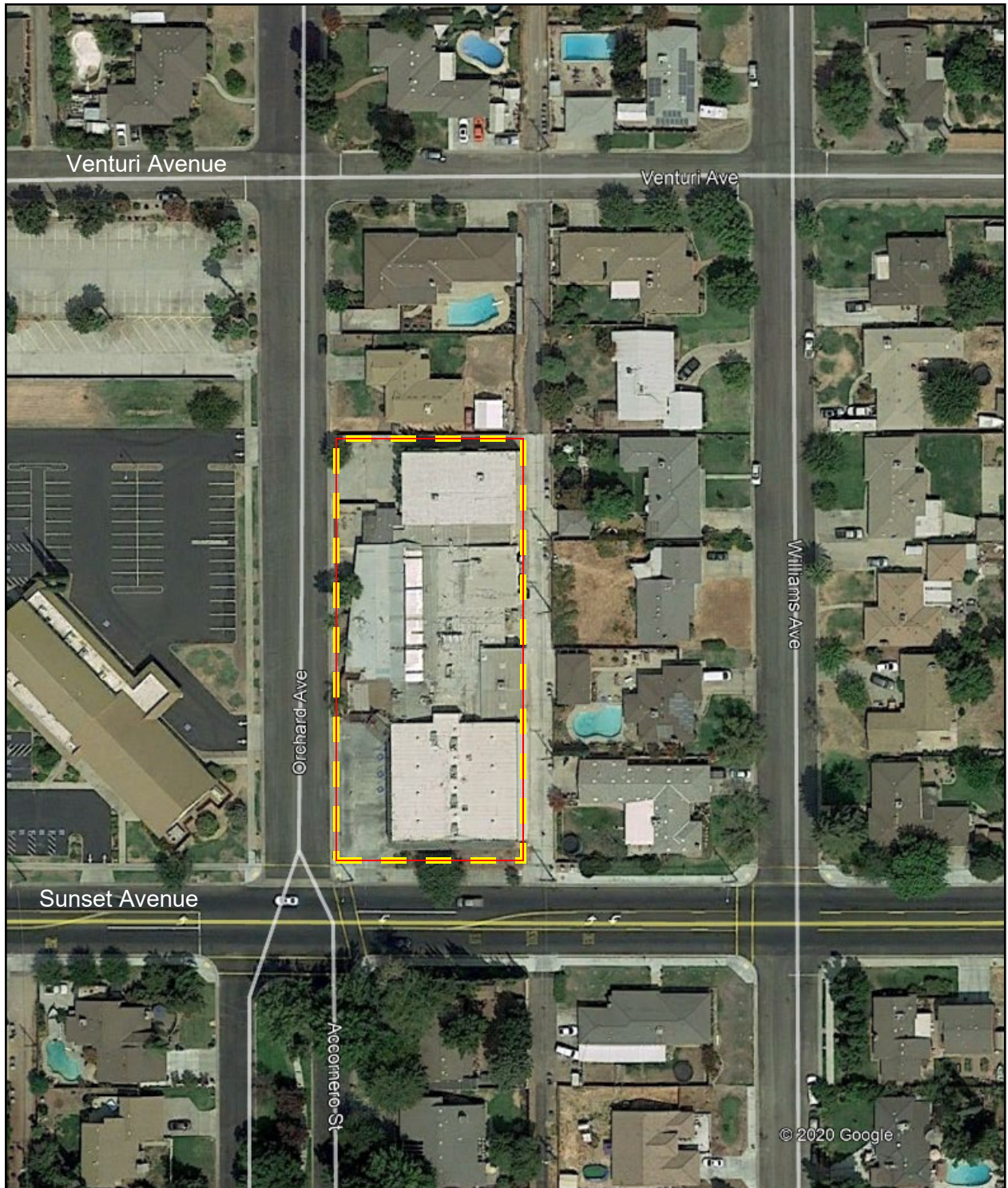
Attachment 3: Resolutions of Recommendation to the City Council  
Exhibit "A"

Attachment 4: Public Concern Letters

Attachment 5: Neighborhood Meeting Minutes

Attachment 6: Negative Declaration

Attachment 1: Aerial Photo



**Attachment 2: Site Plan, Floor Plan, Landscaping Plan & Elevations**

# SUNSET AVENUE 15-UNIT LUXURY TOWNHOUSE COMPLEX



Site Location      Vicinity Map

### CALIFORNIA GREEN BUILDING STANDARDS:

PROVIDE DOCUMENTATION TO THE BUILDING DEPT. SHOWING COMPLIANCE TO ITEMS NOTE BELOW.

- CONTRACTOR TO SUBMIT A CONSTRUCTION WASTE MANAGEMENT PLAN, DIVERTING A MIN. OF 50% OF CONSTRUCTION WASTE GENERATED AT THE SITE TO RECYCLE OR SALVAGE.
- IDENTIFY THE MATERIALS TO BE DIVERTED FROM DISPOSAL BY RECYCLING, REUSE ON THE PROJECT OF SALVAGE FOR FUTURE USE OR SALE.
- SPECIFY IF MATERIALS WILL BE SORTED ON SITE OR MIXED FOR TRANSPORTATION TO A DIVERSION FACILITY, AND IDENTIFY THE DIVERSION FACILITY WHERE THE MATERIAL COLLECTED WILL BE TAKEN.
- IDENTIFY CONSTRUCTION METHODS EMPLOYED TO REDUCE THE AMOUNT OF WASTE GENERATED.
- TESTING AND ADJUSTING OF SYSTEMS (HVAC, LIGHTING AND CONTROLS, WATER HEATING, ETC.) IS REQUIRED FOR BUILDINGS LESS THAN 10,000 S.F.

### Building Data

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

### REFERENCE NOTES :

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

THIS PROJECT TO HAVE AN AUTOMATIC FIRE-SUPPRESSION SYSTEM INSTALLED UNDER A SEPERATE FIRE-SPRINKLER-SYSTEM PERMIT, AND THAT SYSTEM SHALL BE IN COMPLIANCE WITH THE NFPA STANDARD 13D OF NFPA STANDARD 2013 EDITION WITH QUICK RESPONSE SPRINKLER HEADS, DESIGNS, SPECIFICATIONS AND DETAILS TO BE BY OTHERS - BY A SEPERATE PERMIT.

FIRE-SUPPRESSION SYSTEM TO BE A STAND ALONE SYSTEM.

### Owner

AFTAB NAZ      1111 N. 4th St.  
 MADERA, CA. 93637  
 PH. (554) 673-3000

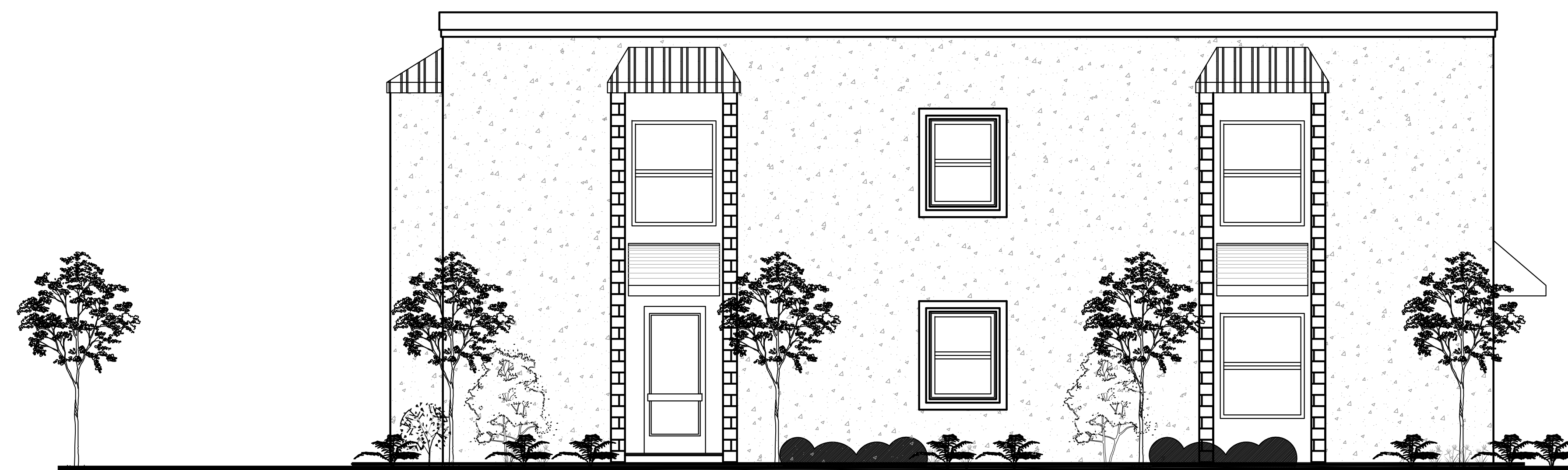
### Architect

GARY A. ROGERS      1816 HOWARD ROAD #8  
 ARCHITECT      MADERA, CA. 93637  
 PHONE: (554) 674-6598

### Site Data

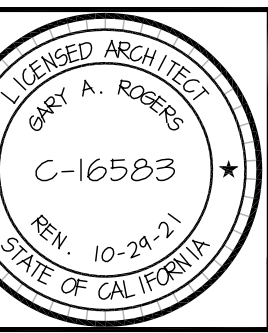
SITE ADDRESS : 1803 SUNSET AVE.  
 MADERA, CA. 93637  
 ASSESSOR'S PARCEL NO. : 006-182-007  
 LATITUDE : 36.960440°  
 LONGITUDE : -120.079860°  
 SOIL SITE CLASS : D  
 SEISMIC METHOD : ANALYTICAL  
 SEISMIC IMPORTANCE FACTOR : I  
 CLIMATE ZONE : IS  
 MAPPED SPECTRAL RESPONSE :  $S_{ms} = 0.743$   $S_{mp} = 0.501$   
 SPECTRAL RESPONSE COEFF. :  $S_{ps} = 0.524$   $S_{pl} = 0.394$   
 SPECTRAL RESPONSE ACCEL. :  $S_s = 0.601$   $S_1 = 0.235$   
 $F_a = 1.314$   $F_v = 2.124$   
 SITE ELEVATION : 284'  
 SEISMIC DESIGN CATAGORY : D  
 SOIL BEARING PRESSURE : 1500 PSF  
 WIND METHOD : ANALYTICAL  
 WIND IMPORTANCE FACTOR : I  
 WIND VELOCITY : 110 MPH, 3-SECOND GUST  
 SITE EXPOSURE : C  
 GROUND SNOW LOAD :  $F_g = 0$  PSF  
 ROOF LIVE LOAD :  $C_s / 12$  PITCH = 20 PSF

SHEET INDEX	
CS.1	COVER SHEET
S.1	PROPOSED SITE PLAN
A.1	FIRST FLOOR PLAN
A.2	SECOND FLOOR PLAN
A.3	EXTERIOR ELEVATIONS



COVER SHEET  
 SUNSET AVE. 4 UNIT COMPLEX

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

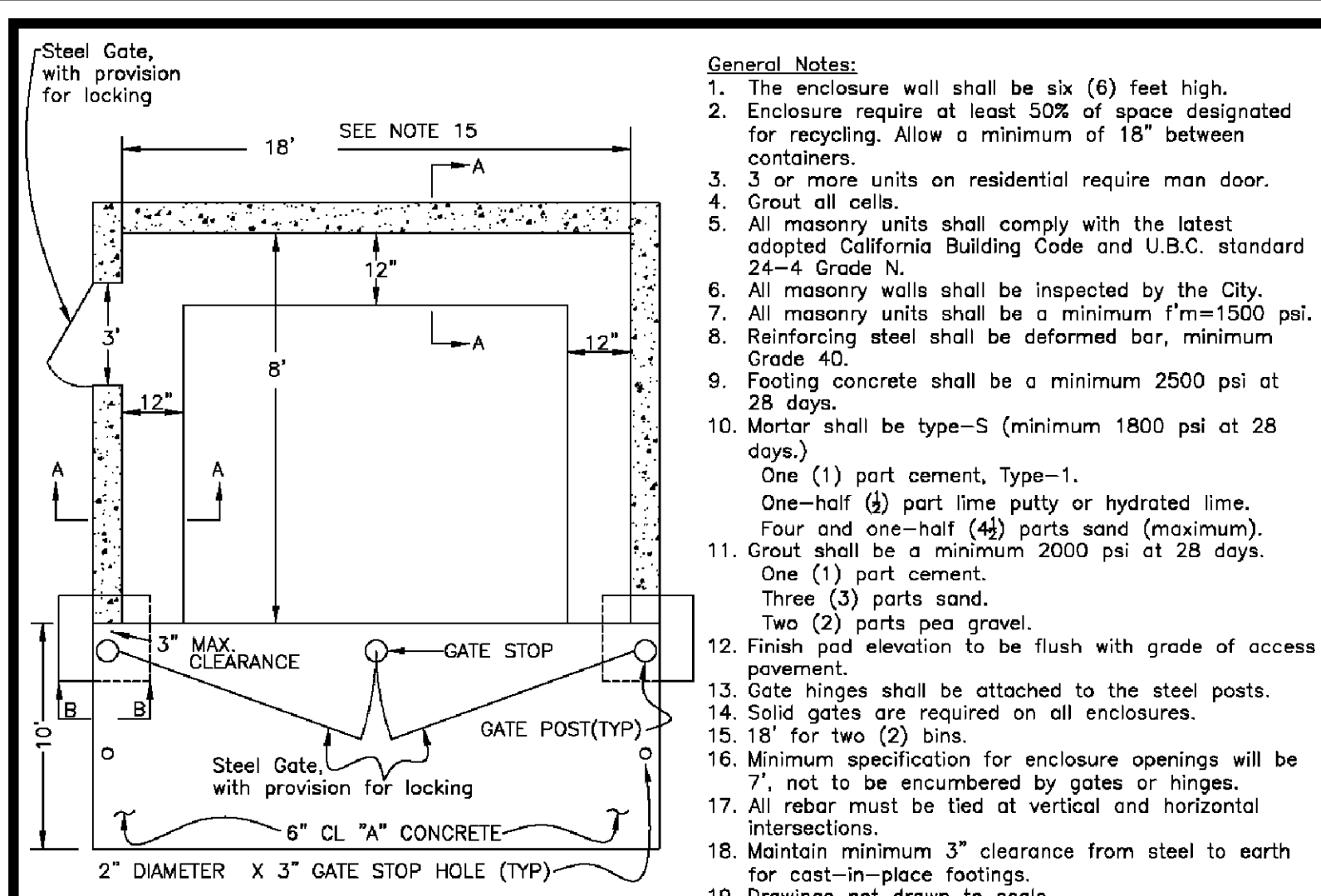


REVISIONS	
ITEM	DATE COMMENTS

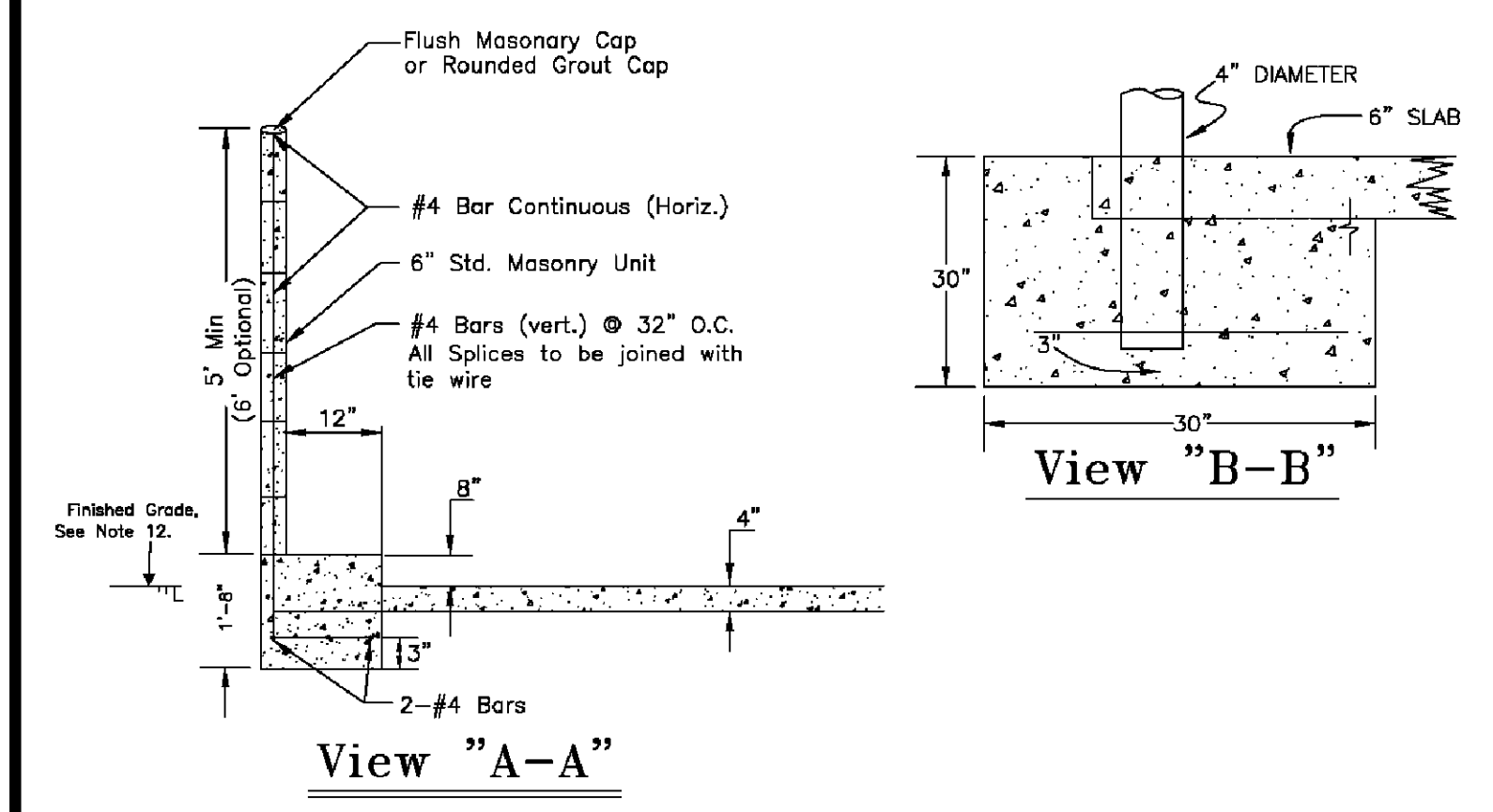
AFTAB NAZ  
 1111 N. 4th St.  
 MADERA, CA. 93637 (554) 673-3000  
 SITE: 1803 SUNSET AVENUE

PLANS FOR:

DRAWN BY T. ARMENTROUT
CHECKED BY
DATE 3 / 2020
SCALE 1/4"=1'
JOB NO.
SHEET
<b>CS.1</b>
OF SHEETS

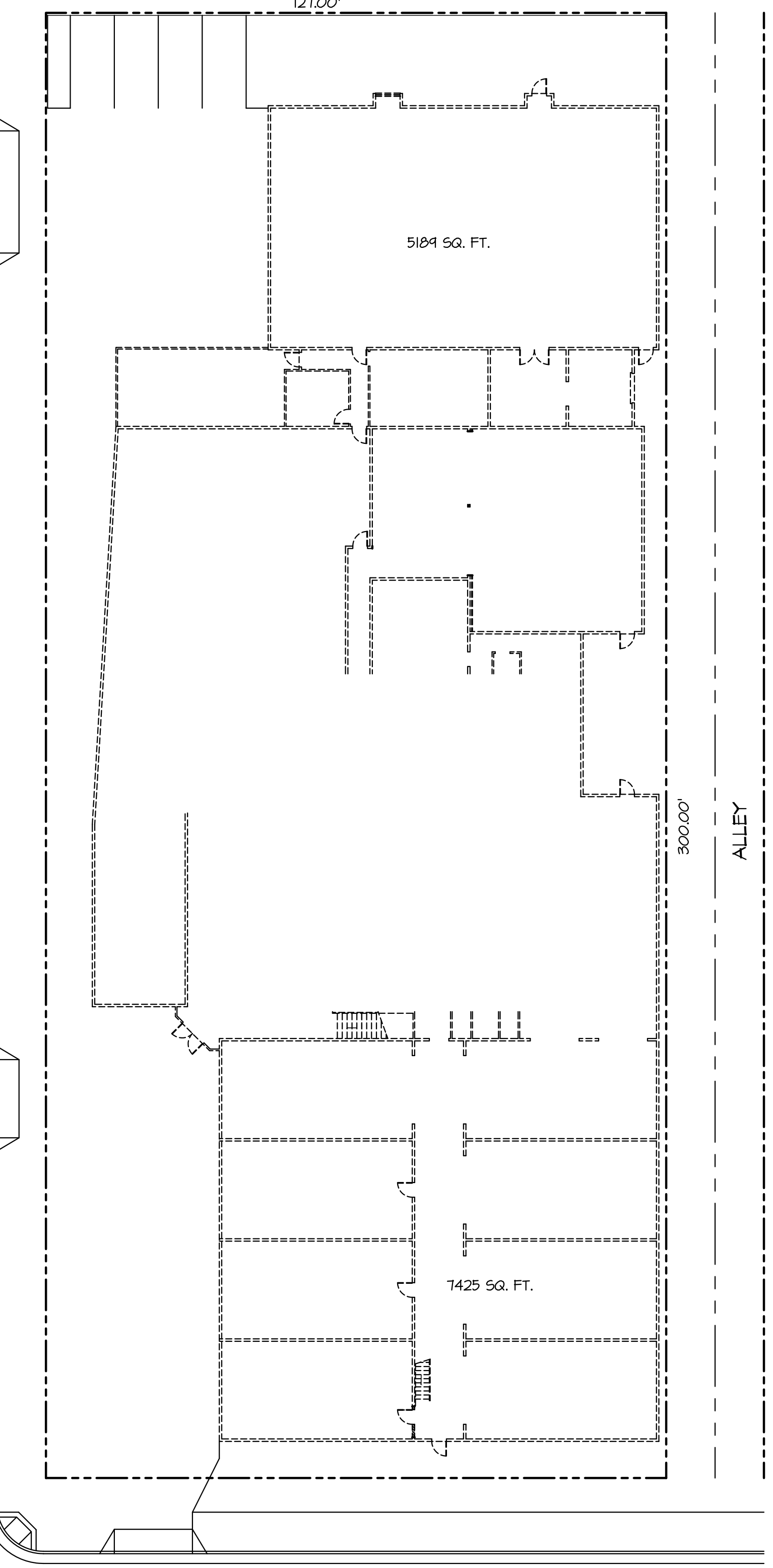
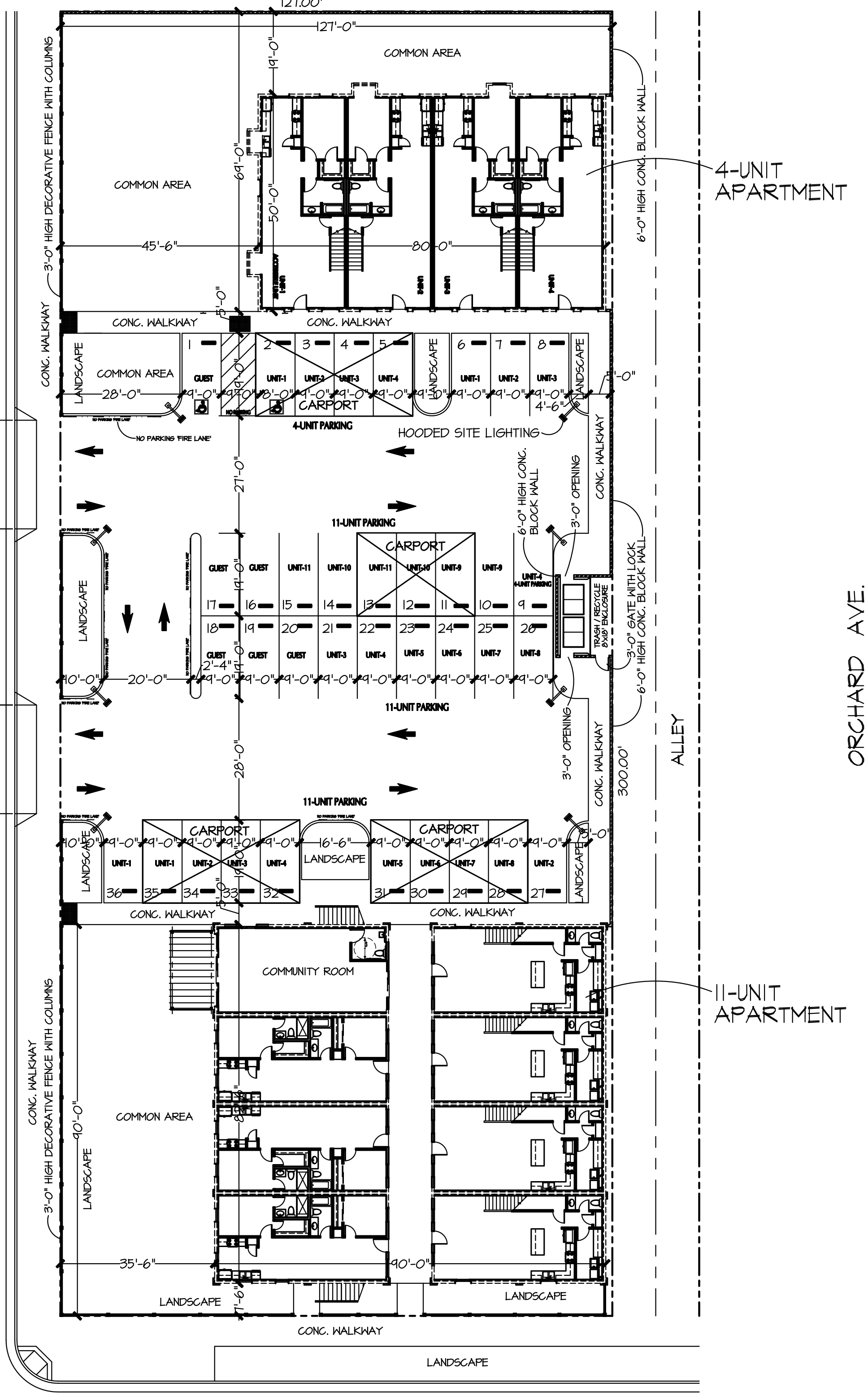


**Plan View**



**TYPICAL REFUSE CONTAINER ENCLOSURE DETAILS**

REF. & REV. MARCH 2005	CITY OF MADERA
AUG. 2009	E-7
APRIL 2010	



**Site Data**

APN: 006-182-007  
SITE ADD.: 1803 SUNSET AVE. MADERA, CA. 95637

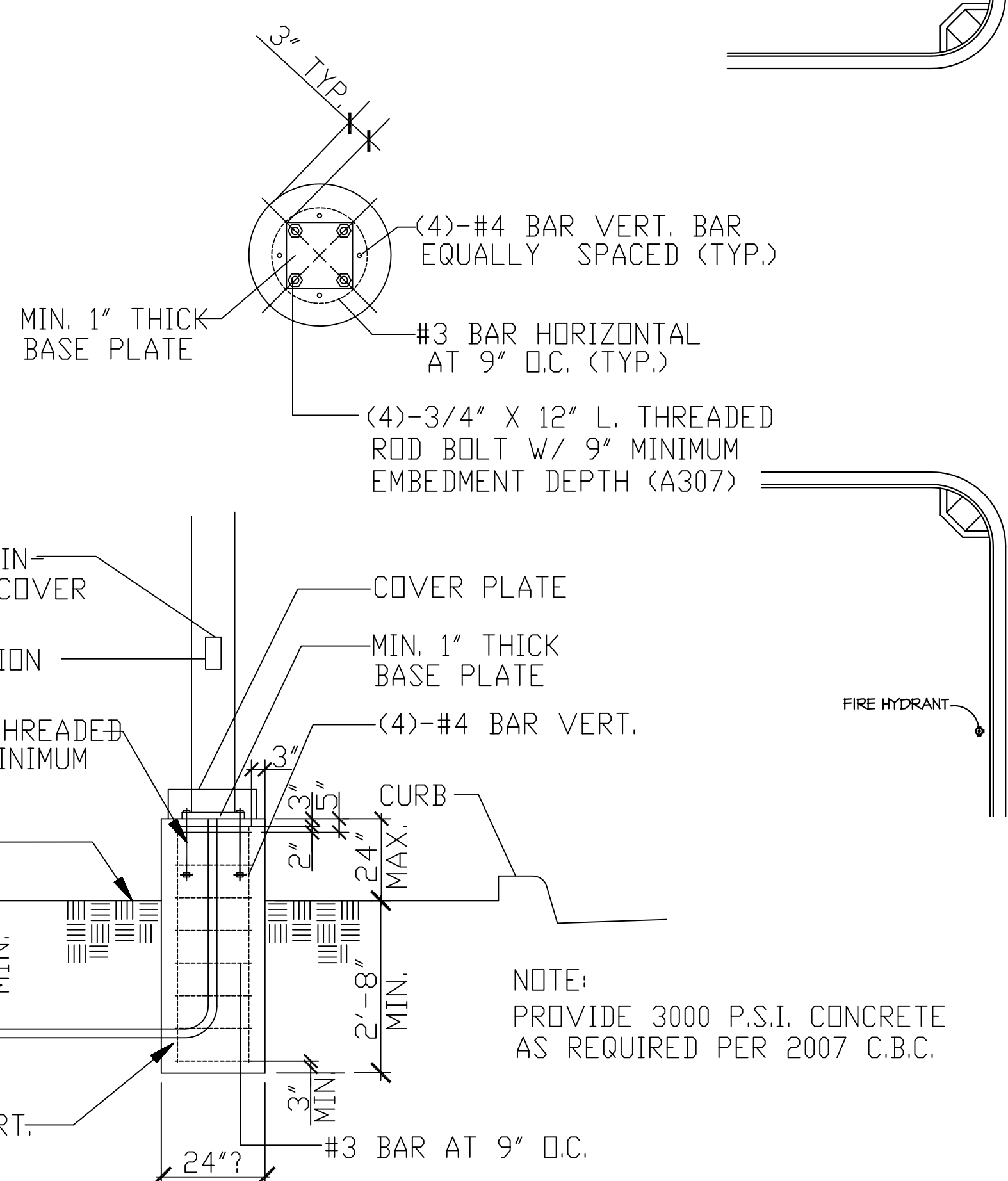
**15 Units**

**Parking Requirements**

2 BEDROOM UNITS	11
PARKING SPACES REQUIRED:	22
3 BEDROOM UNITS	4
PARKING SPACES REQUIRED:	8
TOTAL SPACES REQUIRED:	30
GUEST PARKING	
PARKING SPACES REQUIRED:	6
SPACES REQUIRED:	34
SPACES PROVIDED:	36
CARPETS	15
OPEN SPACES	21

**Coverages**

SITE AREA	38,100 SQ. FT.
APARTMENT UNITS (GROUND FLOOR)	11,485 SQ. FT.
PARKING / PAVING AREA	14,526 SQ. FT.
COMMON AREA PROVIDED	1,300 SQ. FT.
LANDSCAPE AREA PROVIDED	3,900 SQ. FT.
LANDSCAPE + COMMON	11,200 SQ. FT. (29%)



**Soft Square Cutoff Lighting**

**KAD**

HIGH PRESSURE SODIUM  
70W, 100W, 150W, 250W, 400W  
20' to 35' Mounting

**CONTOUR SERIES**

Architectural Colors  
Standard Colors

DDB Dark bronze (standard)  
DWH White  
DBL Black

Classic Colors  
DMB Medium bronze  
DNA Natural Aluminum  
DSS Sandstone  
DGC Charcoal gray  
DTG Tennis green  
DBR Bright red  
DSB Steel blue

Standard Dimensions  
EPA: 1.2 ft<sup>2</sup>  
Weight: 42 lbs (19.1 kg)  
Length: 17-1/2" (44.5 cm)  
Width: 17-1/2" (44.5 cm)  
Depth: 7-1/8" (18.1 cm)

**LOT LIGHTING**  
PROVIDE LENS COVER AT ALL EXTERIOR LIGHTING AS REQUIRED.

**FEATURES AND SPECIFICATIONS**

**INTENDED USE**-Ideal for parking areas, street lighting, walkways and car lots

**CONSTRUCTION**- Rugged, die-cast, soft corner aluminum housing with 0.12" nominal wall thickness. Extruded 4" soft corner arm for pole or wall mounting is standard. Die-cast door frame has impact-resistant, tempered glass lens that is fully gasketed with one-piece tubular silicone.

**FINISH**- Standard finish is dark bronze (DDB) polyester powder, with other architectural colors available.

**OPTICAL SYSTEM**- Anodized, aluminum hydroformed reflectors: IES full cutoff distributions R2 (asymmetric), R3 (asymmetric), R4 (forward throw) and R5S (square). High-performance anodized, segmented aluminum reflectors IES full cutoff distributions SR2 (asymmetric), SR3 (asymmetric) and SR4SC (forward throw, sharp cutoff). Segmented reflectors attach with tool-less fasteners and are rotatable and interchangeable.

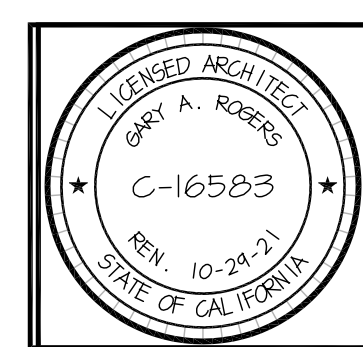
**ELECTRICAL SYSTEM**- High-reactance, high power factor ballast for 70/100/150W. Constant-voltage autotransformer for 250/400W. Ballast is copper-wound and 100% factory-tested. Porcelain, horizontally oriented, mogul-base socket with copper alloy, nickel-plated screw shell and center contact. UL listed 1500W, 600V, 4KV pulse-rated.

**LISTING**- UL Listed (standard). CSA Certified (see Options). UL listed for wet locations. IP65 rated in accordance with standard IEC 529.

Example: KAD 400S R2 120 SPD04 LPI



**Gary A. Rogers - Architect**  
1816 HOWARD ROAD - SUITE 8  
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OFFICE: (559) 674-6598  
PLANNING • DESIGNING • CONSTRUCTION PROBLEM SOLVING



**REVISIONS**

ITEM	DATE	COMMENTS

**AFTAB NAZ**  
1111 W. 4th. St.  
MADERA, CA. 95637 (559) 679-9000  
SITE: 1803 SUNSET AVENUE

**PLANS FOR:**

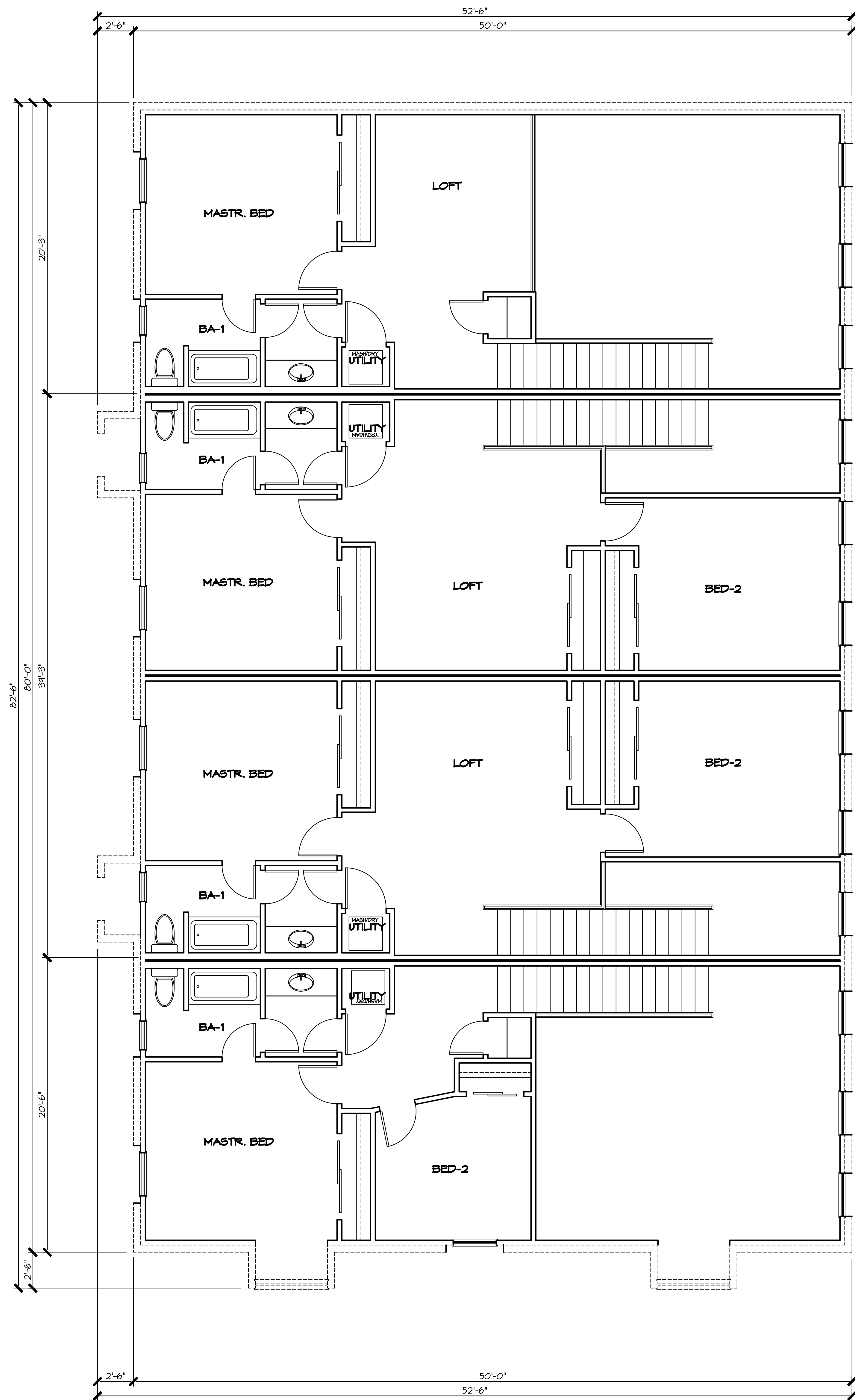
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T. ARMENTROUT

**CHECKED BY**

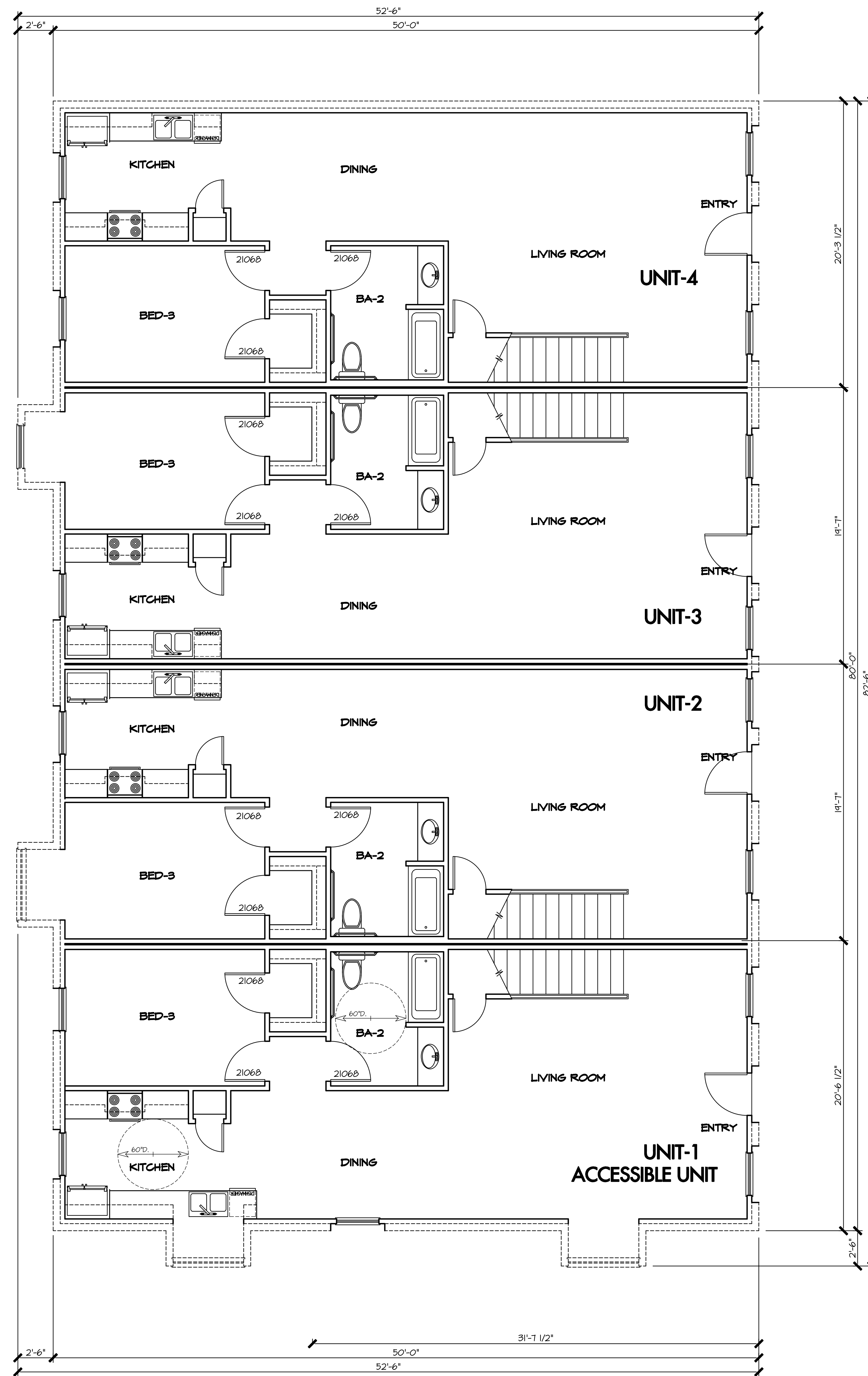
**DATE**  
6 / 2020

**SCALE**  
1"=20'-0"

**JOB NO.**



SECOND FLOOR PLAN



FIRST FLOOR PLAN

BUILDING AREAS		
MANAGER UNIT - FLOOR AREA:	371	S.F.
UNIT-1 FIRST FLOOR AREA:	665	S.F.
UNIT-1 SECOND FLOOR AREA:	645	S.F.
UNIT-1 LIVING AREA:	1310	S.F.
UNIT-2 LIVING AREA:	944	S.F.
UNIT-3 LIVING AREA:	944	S.F.
UNIT-4 FIRST FLOOR AREA:	1015	S.F.
UNIT-4 SECOND FLOOR AREA:	560	S.F.
UNIT-4 LIVING AREA:	1575	S.F.
TOTAL LIVING AREA:	5250	S.F.

**Gary A. Rogers - Architect**

1816 HOWARD ROAD - SUITE B  
MADERA, CALIFORNIA 93637  
FAX: (559) 674-6599  
OFFICE: (559) 674-6598



REVISIONS		
ITEM	DATE	COMMENTS

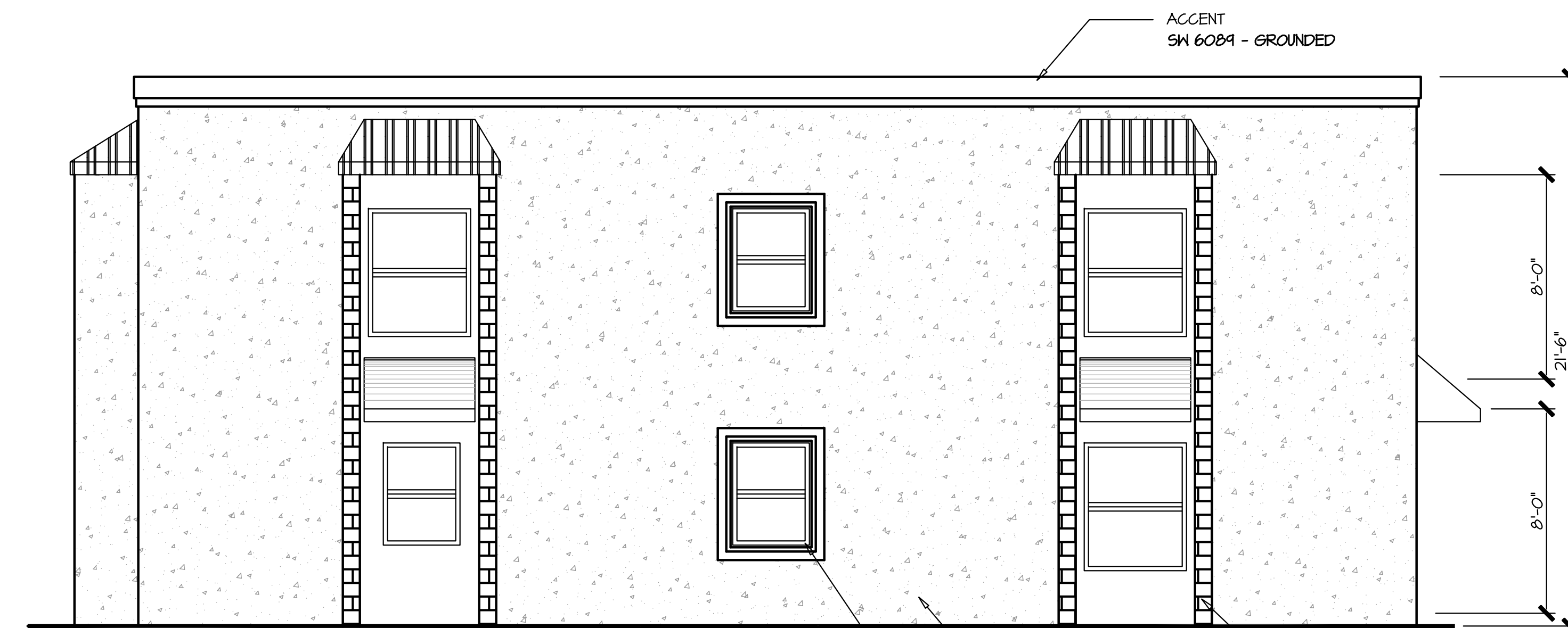
**AFTAB NAZ**  
1111 N. 4th. St.  
MADERA, CA. 93637 (559) 675-3000  
SITE: 1809 SUNSET AVENUE

PLANS FOR:

DRAWN BY	T. ARMENTROUT
CHECKED BY	
DATE	5 / 2020
SCALE	1/4"=1'
JOB NO.	
SHEET	

**A.1**

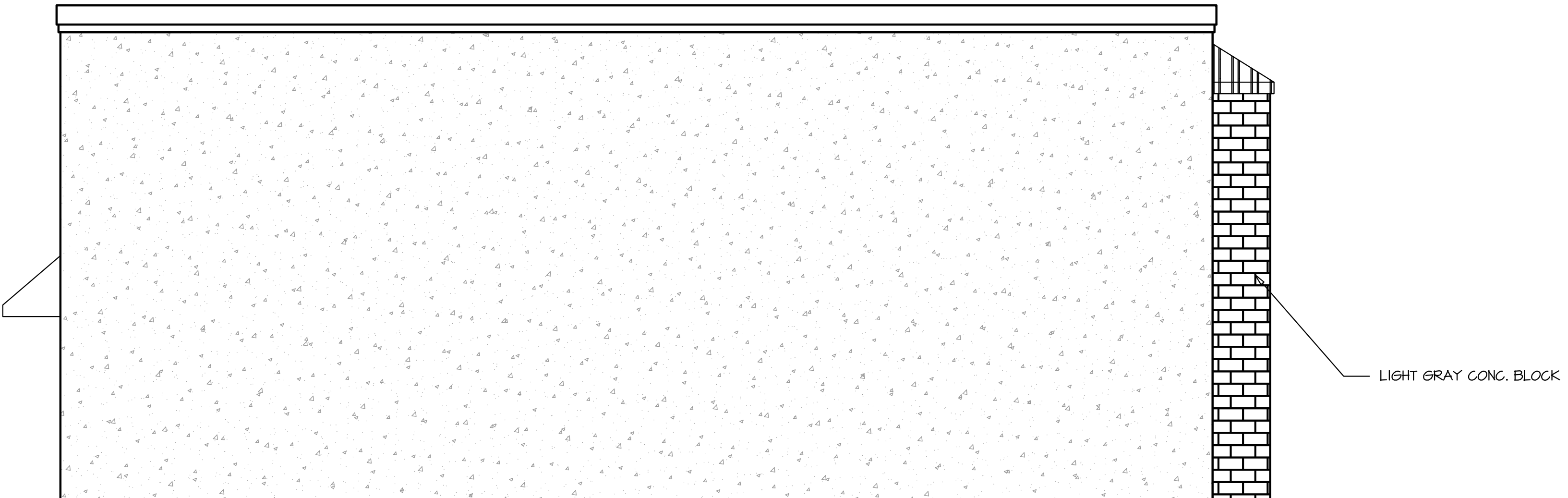
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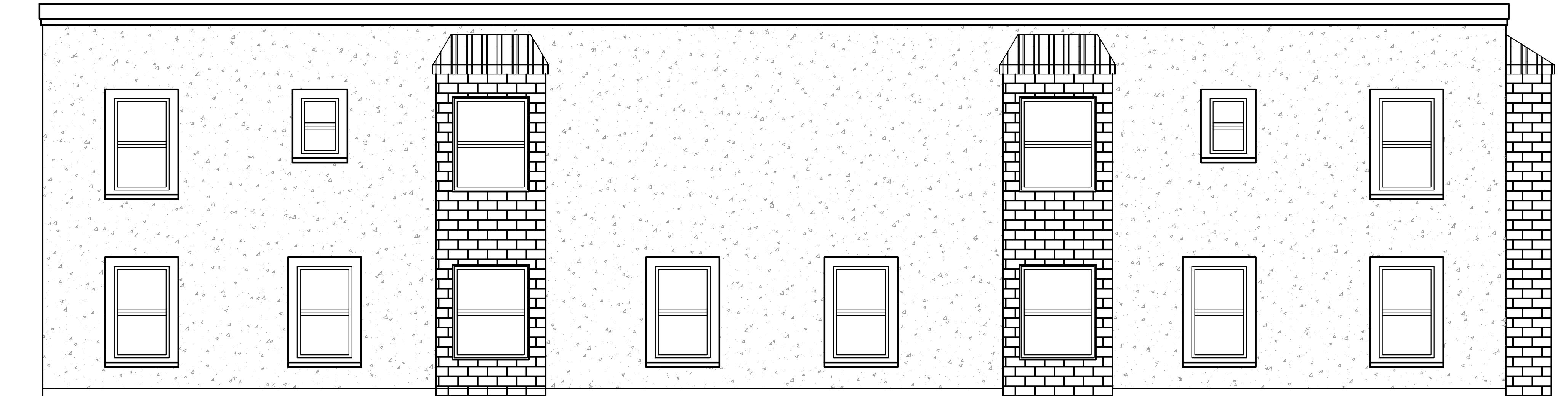
FRONT (WEST) ELEVATION



RIGHT (SOUTH) ELEVATION



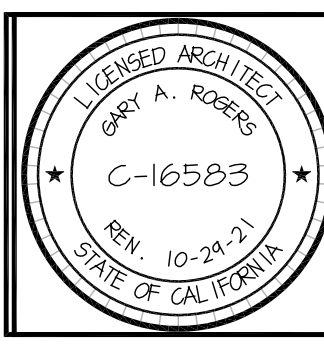
REAR (EAST) ELEVATION



REAR (NORTH) ELEVATION

SUNSET AVE. 4 UNIT COMPLEX

**Gary A. Rogers - Architect**  
 1816 HOWARD ROAD - SUITE 8  
 MADERA, CALIFORNIA 93637  
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 PLANNING \* DESIGNING \* CONSTRUCTION PROBLEM SOLVING



REVISIONS	ITEM	DATE	COMMENTS

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 MADERA, CA 93637 (559) 675-9000  
 SITE: 1809 SUNSET AVENUE

PLANS FOR:

DRAWN BY  
 T. ARMENTROUT  
 CHECKED BY  
 DATE  
 5 / 2020  
 SCALE  
 1/4" = 1'  
 JOB NO.  
 SHEET

**A.2**  
 OF SHEETS



# SUNSET AVENUE 15-UNIT LUXURY TOWNHOUSE COMPLEX



Site Location Vicinity Map

### CALIFORNIA GREEN BUILDING STANDARDS:

PROVIDE DOCUMENTATION TO THE BUILDING DEPT. SHOWING COMPLIANCE TO ITEMS NOTE BELOW.

1. CONTRACTOR TO SUBMIT A CONSTRUCTION WASTE MANAGEMENT PLAN, DIVERTING A MIN. OF 50% OF CONSTRUCTION WASTE GENERATED AT THE SITE TO RECYCLE OR SALVAGE.
2. IDENTIFY THE MATERIALS TO BE DIVERTED FROM DISPOSAL BY RECYCLING, REUSE ON THE PROJECT OF SALVAGE FOR FUTURE USE OR SALE.
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4. IDENTIFY CONSTRUCTION METHODS EMPLOYED TO REDUCE THE AMOUNT OF WASTE GENERATED.
5. TESTING AND ADJUSTING OF SYSTEMS (HVAC, LIGHTING AND CONTROLS, WATER HEATING, ETC.) IS REQUIRED FOR BUILDINGS LESS THAN 10,000 S.F.

### Building Data

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

### REFERENCE NOTES :

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

THIS PROJECT TO HAVE AN AUTOMATIC FIRE-SUPPRESSION SYSTEM INSTALLED UNDER A SEPERATE FIRE-SPRINKLER-SYSTEM PERMIT, AND THAT SYSTEM SHALL BE IN COMPLIANCE WITH THE NFPA STANDARD 130 OF NFPA STANDARD 2013 EDITION WITH QUICK RESPONSE SPRINKLER HEADS, DESIGNS, SPECIFICATIONS AND DETAILS TO BE BY OTHERS - BY A SEPERATE PERMIT.

FIRE-SUPPRESSION SYSTEM TO BE A STAND ALONE SYSTEM.

### Owner

AFTAB NAZ 1111 N. 4th St.  
 MADERA, CA. 93637  
 PH. (554) 673-3000

### Architect

GARY A. ROGERS 1816 HOWARD ROAD #8  
 ARCHITECT MADERA, CA. 93637  
 PHONE: (554) 674-6598

### Site Data

SITE ADDRESS : 1803 SUNSET AVE.  
 MADERA, CA. 93637  
 ASSESSOR'S PARCEL NO. : 006-182-007  
 LATITUDE : 36.960440°  
 LONGITUDE : -120.079860°  
 SOIL SITE CLASS : D  
 SEISMIC METHOD : ANALYTICAL  
 SEISMIC IMPORTANCE FACTOR : 1  
 CLIMATE ZONE : IS  
 MAPPED SPECTRAL RESPONSE :  $S_{ms} = 0.743$   $S_{mp} = 0.501$   
 SPECTRAL RESPONSE COEFF. :  $S_{ps} = 0.524$   $S_{pl} = 0.394$   
 SPECTRAL RESPONSE ACCEL. :  $S_s = 0.601$   $S_1 = 0.235$   
 $F_a = 1.314$   $F_v = 2.124$   
 SITE ELEVATION : 284'  
 SEISMIC DESIGN CATAGORY : D  
 SOIL BEARING PRESSURE : 1500 PSF  
 WIND METHOD : ANALYTICAL  
 WIND IMPORTANCE FACTOR : 1  
 WIND VELOCITY : 110 MPH, 3-SECOND GUST  
 SITE EXPOSURE : C  
 GROUND SNOW LOAD :  $F_g = 0$  PSF  
 ROOF LIVE LOAD :  $C_s / 12$  PITCH = 20 PSF

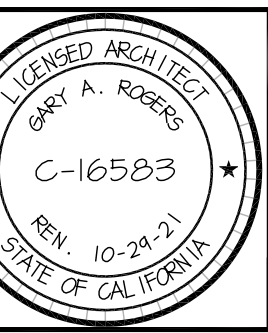
### SHEET INDEX

CS.1	COVER SHEET
SJ	PROPOSED SITE PLAN
A.1	FIRST FLOOR PLAN
A.2	SECOND FLOOR PLAN
A.3	EXTERIOR ELEVATIONS



COVER SHEET  
 SUNSET AVE. 11 UNIT COMPLEX

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

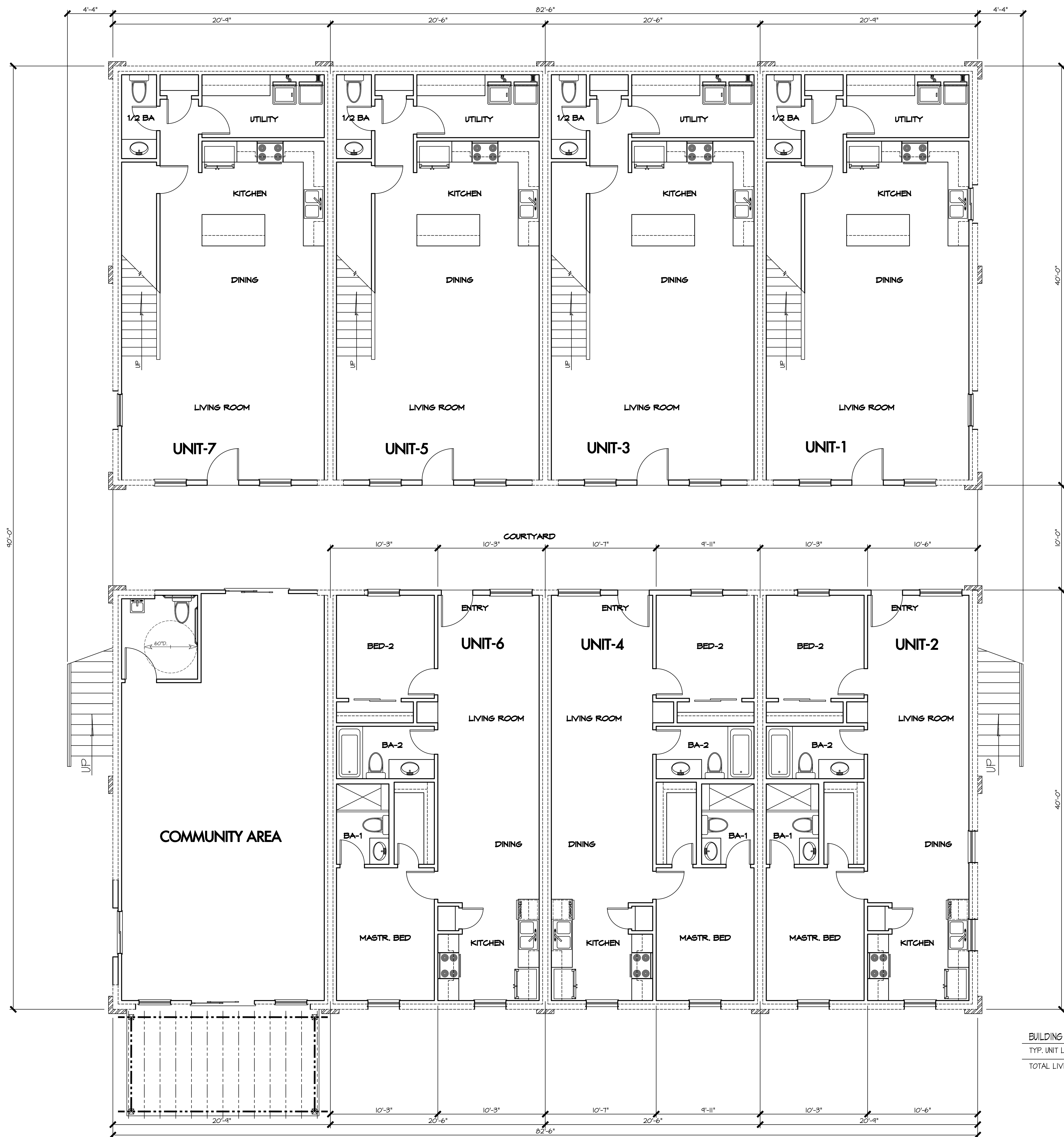


REVISIONS	ITEM	DATE	COMMENTS

AFTAB NAZ  
 1111 N. 4th St.  
 MADERA, CA. 93637 (554) 673-3000  
 SITE: 1803 SUNSET AVENUE

PLANS FOR:

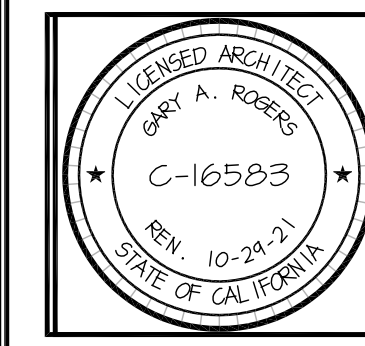
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 T. ARMENTROUT  
 CHECKED BY  
 DATE  
 3 / 2020  
 SCALE  
 1/4"=1'  
 JOB NO.  
 SHEET  
**CS.1**  
 OF SHEETS



BUILDING AREAS	
TYP. UNIT LIVING AREA:	820 S.F.
TOTAL LIVING AREA:	13,120 S.F.

**FIRST FLOOR PLAN  
SUNSET AVE. 11 UNIT COMPLEX**

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



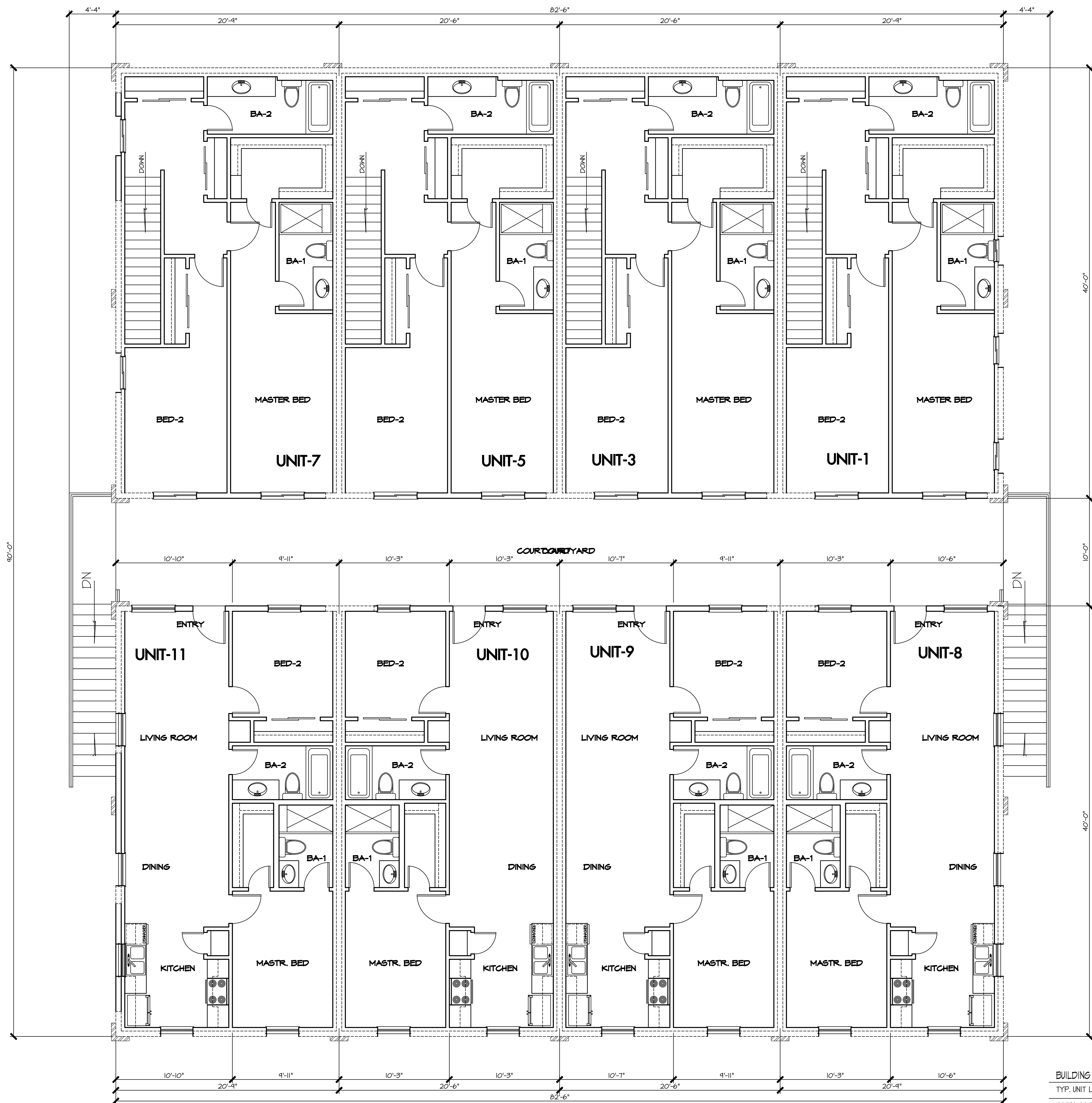
REVISIONS		
ITEM	DATE	COMMENTS

**AFTAB NAZ**  
 1111 N. 4th. St.  
 MADERA, CA. 93637 (559) 675-3000  
 SITE: 1809 SUNSET AVENUE

PLANS FOR:

DRAWN BY	T. ARMENTROUT
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DATE	3 / 2020
SCALE	1/4"=1'
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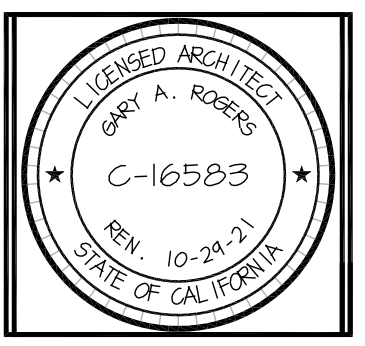
**A.1**  
 OF SHEETS



BUILDING AREAS	
TYP. UNIT LIVING AREA:	820 S.F.
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**SECOND FLOOR PLAN  
SUNSET AVE. 11 UNIT COMPLEX**

**Gary A. Rogers - Architect**  
 1816 HOWARD ROAD - SUITE 8  
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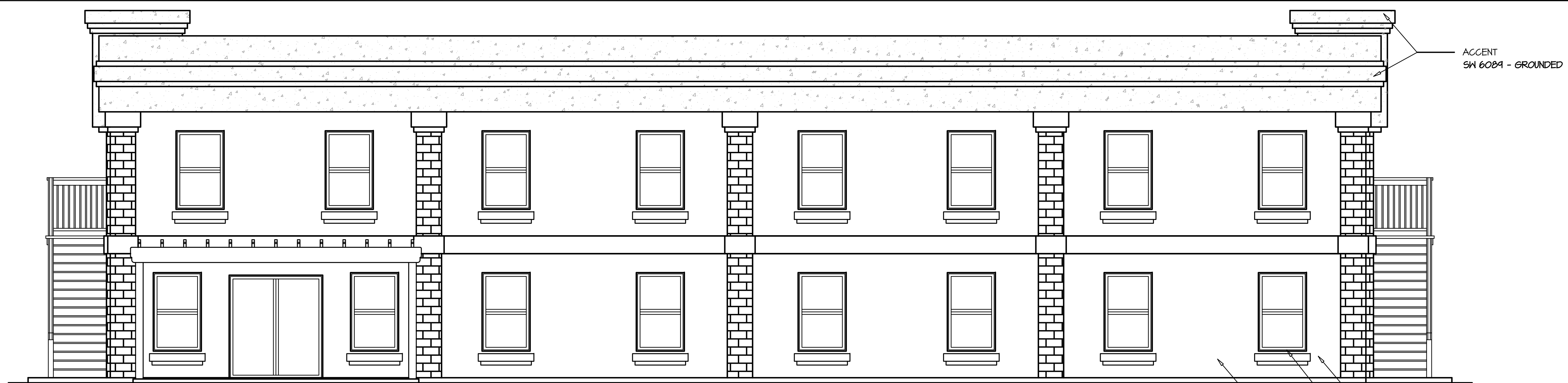
REVISIONS
ITEM DATE COMMENTS

**AFTAB NAZ**  
 1111 N. 4th. St.  
 MADERA, CA. 93637 (559) 675-9000  
 SITE: 1809 SUNSET AVENUE

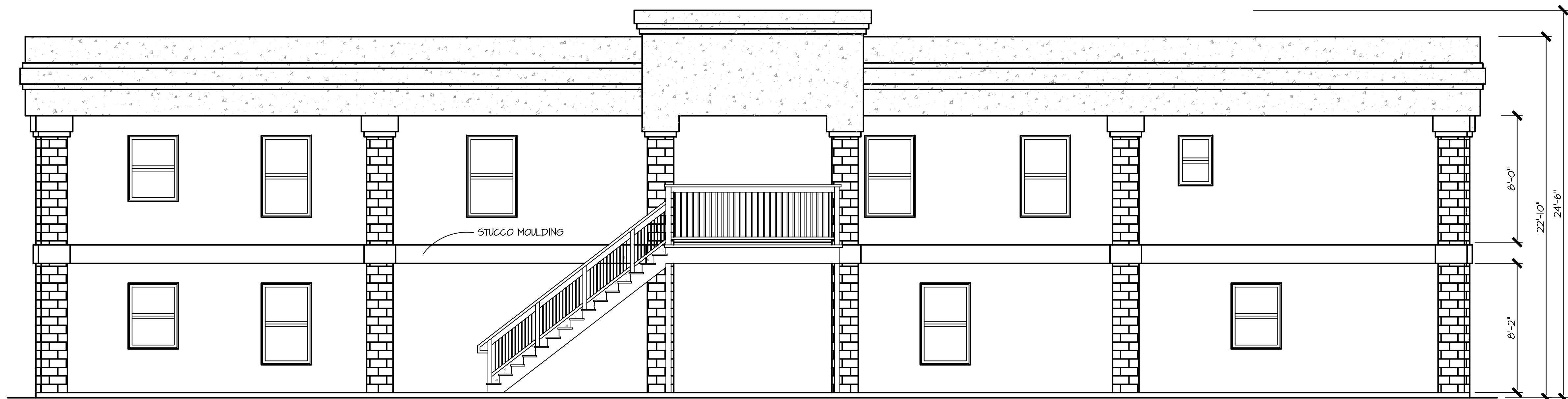
PLANS FOR:

DRAWN BY	T. ARMENTROUT
CHECKED BY	
DATE	3 / 2020
SCALE	1/4"=1'
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SHEET	

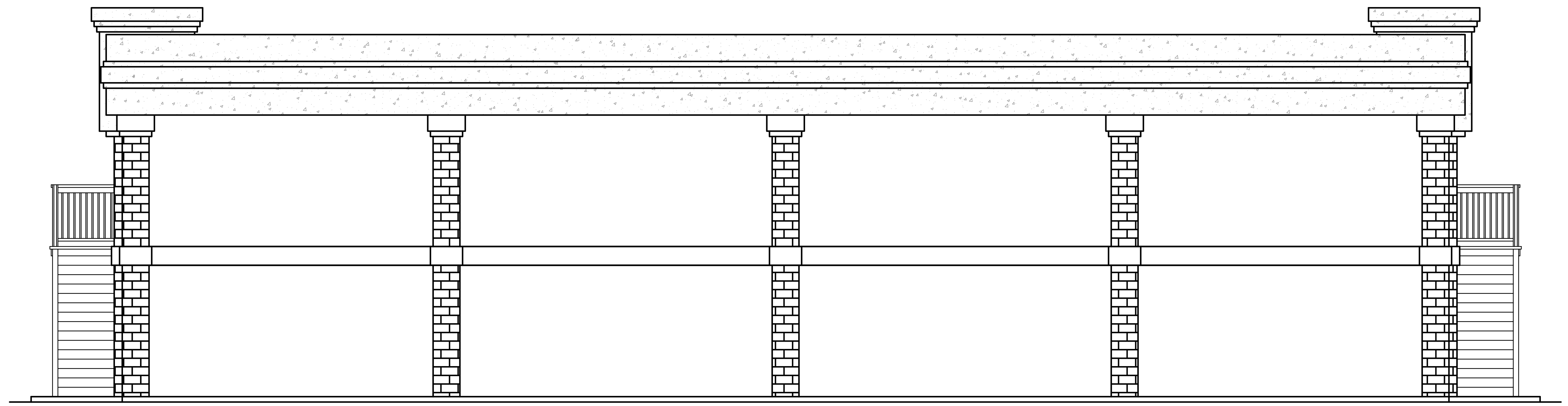
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 OF SHEETS



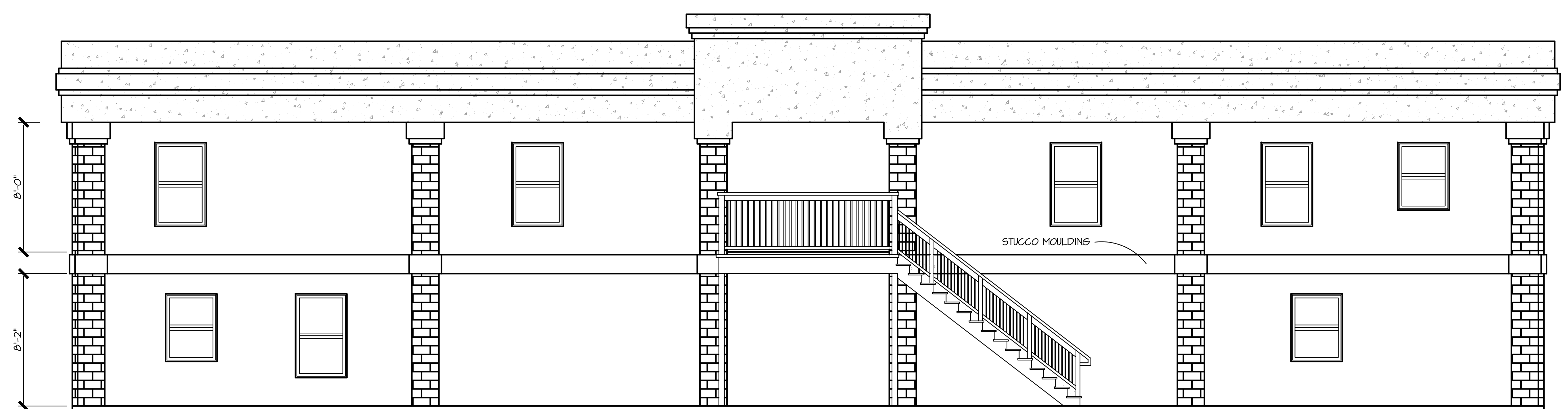
FRONT (WEST) ELEVATION



RIGHT (NORTH) ELEVATION



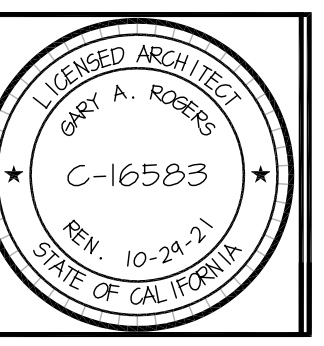
REAR (EAST) ELEVATION



LEFT (SOUTH) ELEVATION

ELEVATIONS PLAN  
SUNSET AVE. 11 UNIT COMPLEX

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



REVISIONS	ITEM	DATE	COMMENTS

**AFTAB NAZ**  
1111 N. 4th St.  
MADERA, CA 93637 (559) 675-9000  
SITE: 1809 SUNSET AVENUE

PLANS FOR:

DRAWN BY  
T. ARMENTROUT  
CHECKED BY  
DATE  
3 / 2020  
SCALE  
1/4"=1'  
JOB NO.  
SHEET

**A.3**  
OF SHEETS

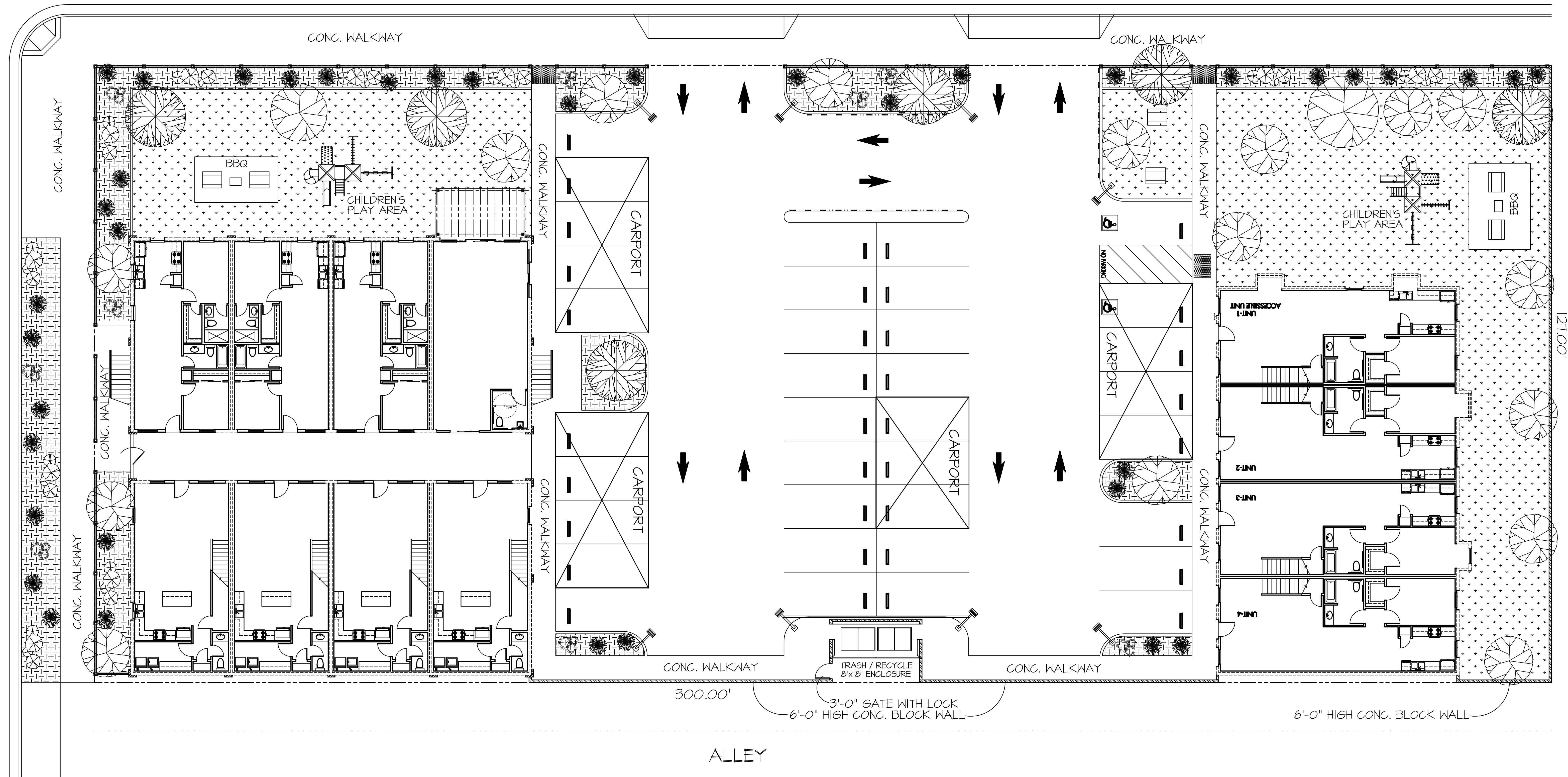
LAWN AREA HUMUS - SPREAD

NOTE: PROVIDE AN ALL DRIP STYLE IRRIGATION SYSTEM WITH LOW FLOW STYLE LAWN SPRAY POP-UPS AND APPROVED BACK FLOW PREVENTION DEVICE WITH A SEPERATE SHUT OFF VALVE TO SYSTEM.

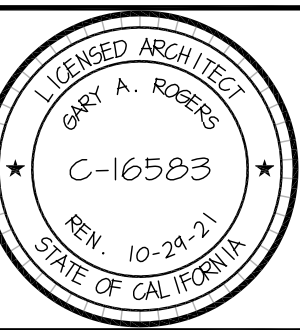
LANDSCAPE PLAN TO BE PREPARED BY LANDSCAPE ARCHITECT PRIOR TO PLAN SUBMITTAL TO BUILDING DEPARTMENT.

ORCHARD AVE.

SUNSET AVE.



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



REVISIONS	ITEM	DATE	COMMENTS

**AFTAB NAZ**  
 1111 W. 4th St.  
 MADERA, CA 93657 (559) 679-9000  
 SITE: 1803 SUNSET AVENUE

PLANS FOR:

DRAWN BY  
 T. ARMENTROUT  
 CHECKED BY  
 6 / 2020  
 SCALE  
 1"=10'-0"  
 JOB NO.  
 SHEET

**L.1**  
 OF SHEETS

PRELIMINARY LANDSCAPE PLAN  
 SUNSET AVE. APARTMENT COMPLEX

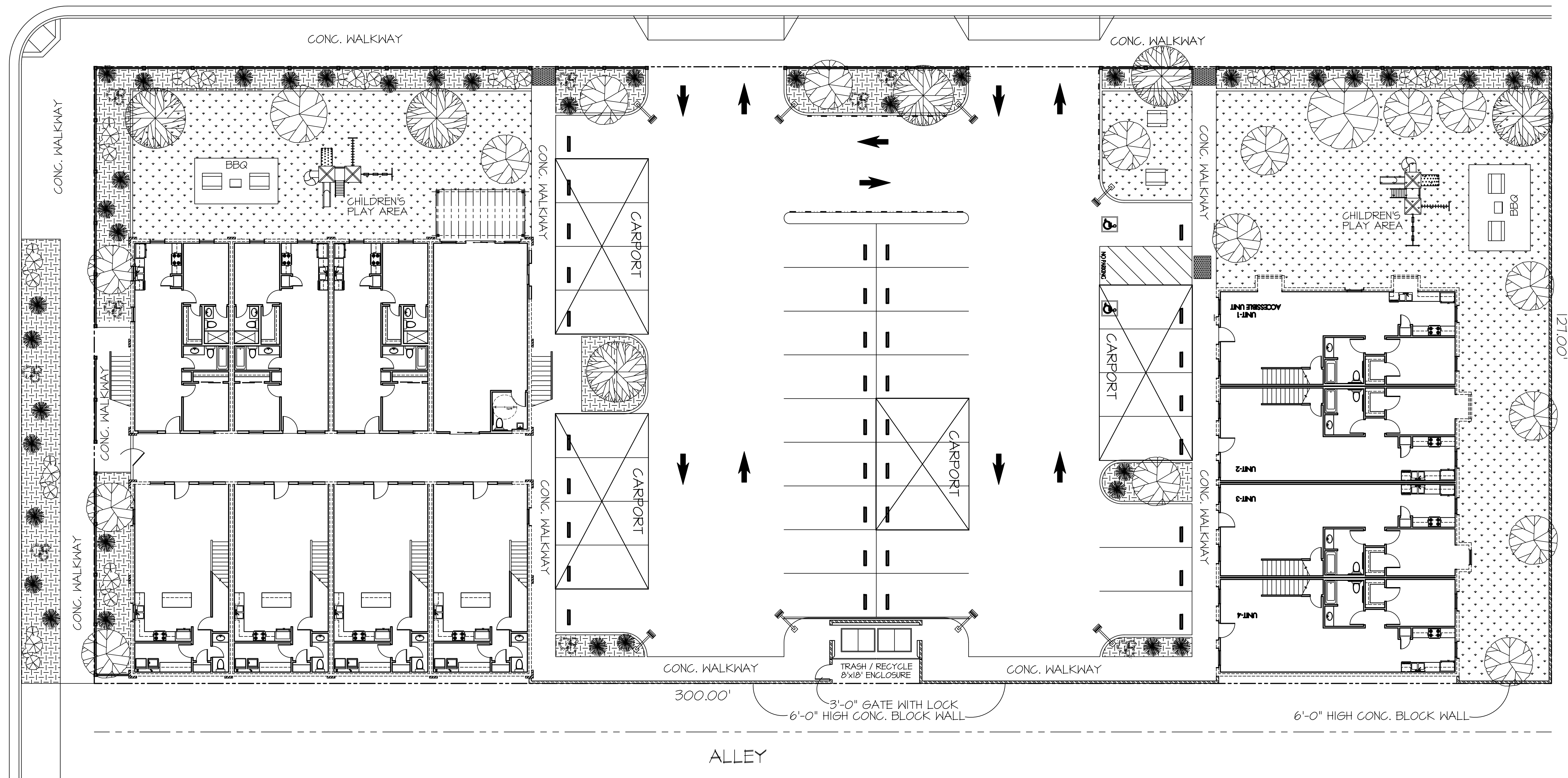
LAWN AREA HUMUS - SPREAD

NOTE: PROVIDE AN ALL DRIP STYLE IRRIGATION SYSTEM WITH LOW FLOW STYLE LAWN SPRAY POP-UPS AND APPROVED BACK FLOW PREVENTION DEVICE WITH A SEPERATE SHUT OFF VALVE TO SYSTEM.

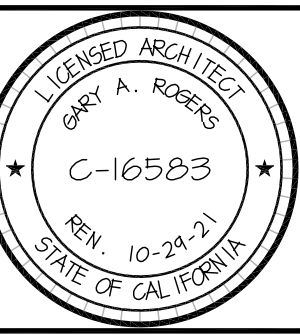
LANDSCAPE PLAN TO BE PREPARED BY LANDSCAPE ARCHITECT PRIOR TO PLAN SUBMITTAL TO BUILDING DEPARTMENT.

ORCHARD AVE.

SUNSET AVE.



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



REVISIONS	ITEM	DATE	COMMENTS

**AFTAB NAZ**  
 1111 W. 4th. St.  
 MADERA, CA. 93657 (559) 679-9000  
 SITE: 1803 SUNSET AVENUE

PLANS FOR:

DRAWN BY  
 T. ARMENTROUT  
 CHECKED BY  
 6 / 2020  
 SCALE  
 1"=10'-0"  
 JOB NO.  
 SHEET

PRELIMINARY LANDSCAPE PLAN  
 SUNSET AVE. APARTMENT COMPLEX

**L.1**  
 OF SHEETS

**Attachment 3: Resolution of Recommendation to the City Council**

**RESOLUTION NO. 1853**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF MADERA APPROVAL OF AN AMENDMENT OF THE GENERAL PLAN CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 0.9 ACRES OF LAND LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF SUNSET AVENUE AND ORCHARD AVENUE APN 006-182-007 FROM THE C (COMMERCIAL) TO HD (HIGH DENSITY) GENERAL PLAN LAND USE DESIGNATION, AND ADOPT A NEGATIVE DECLARATION FOR THE PROJECT.**

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

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

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

WHEREAS, a proposal has been made requesting an amendment to the Madera General Plan amending the land use designation for approximately 0.9 acres of property located on the northeast corner of the intersection of Sunset Avenue and Orchard Avenue APN 006-182-007 from the C (Commercial) land use designation to the HD (High Density) land use designation, as shown in the attached Exhibit A; and

WHEREAS, the proposed General Plan amendment will provide consistency between the General Plan, Zoning Ordinance, and the proposed and future land uses; and



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

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

WHEREAS, the negative declaration, and General Plan amendment were distributed for public review and comment to various local agencies and groups, and public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission has completed its review of the Staff Report and documents submitted for the proposed project, evaluated the information contained in the negative declaration, and considered testimony received as a part of the public hearing process; and

WHEREAS, Based upon the testimony and information presented at the hearing, including the initial study and negative declaration and all evidence in the whole record pertaining to this matter, the Commission found that the negative declaration has been prepared pursuant to the California Environmental Quality Act, that there is no substantial evidence that the project will have a significant effect on the environment, and that the document reflects the independent judgment of the City of Madera, and was adopted in accordance with the California Environmental Quality Act.

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

1. The above recitals are true and correct.

2. The Planning Commission finds an environmental assessment initial study was prepared for this project in accordance with the requirement of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comments from other responsible or affected agencies and interested organizations. Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues. The Planning Commission of the City of Madera has reviewed the environmental assessment and recommended adoption of a negative declaration for this project as there is no substantial evidence in the record that this project may have significant direct, indirect or cumulative effects on the environment. The Planning Commission further finds the negative declaration reflects the Planning Commission's independent judgement and analysis, and there would be no significant effect on the environment. The Planning Commission also finds the initial study and negative declaration were timely and properly published and notices as required by CEQA and comments, if any, have been appropriately received and assessed by the City. As such, the Planning Commission recommends the City Council adopt the negative declaration for this project.

3. Based upon the testimony and information presented at the hearing, and all evidence in the whole record pertaining to this matter, the Planning Commission hereby recommends the City Council adopt a resolution amending the Madera General Plan land use map as specified in the attached Exhibit "A" in order to provide consistency between the General Plan and Zoning Ordinance.

4. The proposed amendment to the Land Use Map is hereby found consistent with all elements of the Madera General Plan.

5. This resolution is effective immediately.

\* \* \* \* \*

Passed and adopted by the Planning Commission of the City of Madera this 9<sup>th</sup> day of June 2020, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

---

Israel Cortes  
Planning Commission Chairperson

Attest:

---

Darrell Unruh  
Interim Planning Manager

PLANNING COMMISSION RESOLUTION NO. 1853  
EXHIBIT 'A'



## **Attachment 4: Public Concern Letters**

RECEIVED  
APR 20 2020

CITY OF MADERA  
PLANNING DEPARTMENT

- City of Madera
- Planning Commission
- April 17, 2020
- 
- Re: Sunset Avenue and Orchard Street Luxury Apartments Proposal
- 

My concern is the proposal for the building of luxury apartments at the intersection of Orchard Street and Sunset Avenue. That intersection poses a Safety Hazard for school children walking to and from school. Thomas Jefferson Middle School is less than 1000 feet from this intersection, and John Adams Grammar School is one block south of the intersection.

In the mornings the foot traffic is heavy with kids going to school and at nearly the same time the car traffic is also heavy with workers going into town for work or going to the freeway. I have seen many near accidents with the kids not paying close attention and drivers in a hurry. The same situation occurs in the afternoons when schools are dismissed.

The Madera Unified School District has recently installed some safety barriers in the middle lane of Sunset Avenue to help protect the students crossing to Thomas Jefferson Middle School. A very similar situation occurs daily at the intersection of Orchard Street and Sunset Avenue.

How does the General Plan and or the studies for traffic and circulation address this safety concern? Are the General Plan and other traffic studies up to date? If not, a current analysis would be recommended to avoid liability. The City of Madera needs to take in account the growth west of the proposed project. From this section of the City, there are 2 main avenues, Howard Road and Sunset Avenue. These two avenue are both heavily impacted with traffic. To not account for the impact of the proposed project on Sunset Avenue traffic and the surrounding neighborhood would be a mistake.

My other concern is "Luxury Apartments" could mean anything. The apartments will probably be rented or leased to an agency that offers "supportive housing", "supportive services", or "transitional housing", to help meet Hud or State housing requirements. If so, what will be the monitoring and reporting of behavioral issues that many of the needy have? Recently in the 600 block of Willis Avenue some homeless moved into the back yard of a home and was the cause of the Police and Code Enforcement having to remove them. Neighborhood crime went up during that time. All currently living in the neighborhood are aware of what can happen.

The students passing in this area need to be a concern for the City. Some of the behavioral problems that would arise from such a development should not be allowed so close to schools.

Some of these issues will need to be mitigated. If so, how will you handle situations as they occur? A plan to monitor, report and remedy will need to be in place.

In consideration of the above concerns R-3 is not reasonable for the subject property. The only reasonable rezone would be R-1 as is the surrounding properties.

Thank you for allowing one neighbors input.

Jerol Holiday  
1900 Venturi Avenue  
Madera, California

## Jesus Orozco

---

**From:** jcchand <jcchand@att.net>  
**Sent:** Thursday, February 20, 2020 11:10 AM  
**To:** Jesus Orozco  
**Subject:** GPA 2020-01 etc.

Please send information on these three items. I am opposed to the requested variance from the required parking stalls. Part of the problem with the gym was the lack of onsite parking. Any tenants of the apartments will do what the members did and that is park as close as possible. Thus lots of on street parking and attempted and actual use of church parking. Also when the church closed the lot there was parking in the driveways of the church. These requests are just going to continue the problems for neighbors if they are approved. I am also opposed because this is probably a R1 zoned neighborhood and this is the time to correct what was there. Also what is the zoning on the southwest corner of Orchard and Venturi? There is no mention of an environmental review, why not?

Thank you,

James Chandler  
jcchand@att.net  
Sent from my Verizon, Samsung Galaxy smartphone



## Jesus Orozco

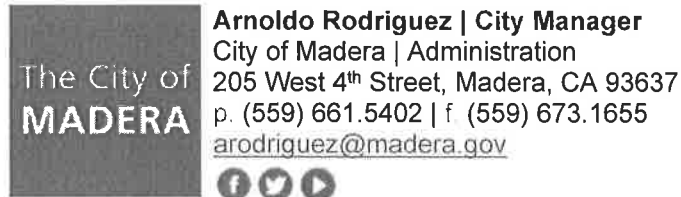
---

**To:** Darrell Unruh  
**Subject:** RE: Sunset Apartments Zoning Objection Letter

**From:** Arnolando Rodriguez <[arodriguez@madera.gov](mailto:arodriguez@madera.gov)>  
**Sent:** Wednesday, March 4, 2020 12:57 PM  
**To:** deb chairez <[ezchair-deb@sbcglobal.net](mailto:ezchair-deb@sbcglobal.net)>  
**Cc:** Darrell Unruh <[dunruh@madera.gov](mailto:dunruh@madera.gov)>  
**Subject:** RE: Sunset Apartments

Good afternoon Ms/Mrs. Chairez,

I am in receipt of your email and understand your concerns. I have copied Darrel Unruh of our office who will keep you apprised of the status of the project.



---

**From:** deb chairez <[ezchair-deb@sbcglobal.net](mailto:ezchair-deb@sbcglobal.net)>  
**Sent:** Wednesday, March 4, 2020 10:24 AM  
**To:** Arnolando Rodriguez <[arodriguez@madera.gov](mailto:arodriguez@madera.gov)>  
**Subject:** Sunset Apartments

Greetings,

I am writing to express my concerns about the proposed 20 apartment complex(es) on Sunset & Orchard & Venturi Avenues.

I live at 620 Williams Ave., the same block as the gym. Contrary to most peoples perception, the neighborhood is a mixed group of ethnicities & incomes

While I would prefer single dwelling homes, I can understand that apartments might be a source of income for the owners. But to propose 20 apartments & ask to have the number of parking stalls reduced is not fair to the adjacent neighbors. The overflow would end up in our street spaces as it did with the gym membership, & an invasion of some neighbors backyard privacy.

Perhaps a complex like the DeCesari/Baraldi families constructed at 604 North I St. would be more agreeable to the neighborhood.

Or single story senior citizen condo's/apartments with enough parking for the residents of said apartments.

Whatever is decided, I would hope that the parking variance requested by them be denied, and that two-story apartments overlooking

the next door neighbor backyards would be denied.

Thank you for taking the time to read this letter.

I hope you will consider our concerns for our neighborhood.

Sincerely,

Debra L. Chairez  
620 Williams Ave.  
Madera, Ca. 93637

**RECEIVED**  
FEB 27 2020

CITY OF MADERA  
PLANNING DEPARTMENT

**February 18, 2020**

**Planning Commission  
City of Madera  
205 West 4<sup>TH</sup> Street  
Madera, CA 93637**

**Re: Proposed High Density Sunset Apartments (former Gold's Gym)**

**Attached is a letter regarding our concerns and objections concerning the proposed 20-unit high-density apartment complex and parking stalls.**

*George B. Wilson*

*Rita Wilson*

**George & Rita Wilson**

**617 El Rancho Drive**

**Madera, CA 93637**

**Attachment**

**RECEIVED**  
FEB 27 2020

CITY  
PLANNING DEPARTMENT

**February 18, 2020**

## **HOW TO DESTROY A PEACEFUL NEIGHBORHOOD**

**Start by putting in 20 units of high-density apartments. Then put in the parking spaces for the units across the street on the other end of the block.**

**This is exactly the kind of things being proposed for the old Gold's Gym property on the corner of Sunset Avenue and Orchard Avenue.**

**This property is better suited for approximately 7 single family homes that would be comparable to the existing homes in the neighborhood.**

**Or one parcel could be a small business complex for dentists, consultants, draftsmen, barber shop, etc. The other parcel would still make 3 nice family lots.**

**Whatever the Planning Commission, City Council, and all Agencies involved decide, please do not allow our neighborhood to be destroyed.**

*George B. Wilson*

**George Wilson  
617 El Rancho Drive  
Madera, CA 93637**

April 13, 2020

Planning Commission  
City of Madera  
205 West 4<sup>th</sup> Street  
Madera, CA 93637



**Subject: Property at Sunset and Orchard and Orchard and Venturi**

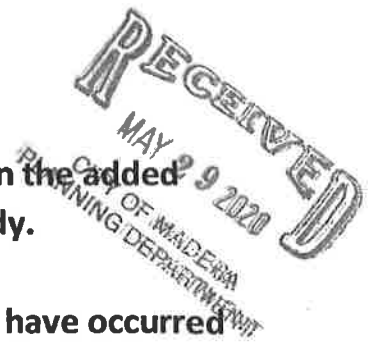
**Dear Planning Commission Members:**

**We do not want apartments on either of these properties. We feel they should compliment the rest of the neighborhood. Single family houses preferred.**

**We feel if you put that many people in that tight of a space, it would create a host of problems.**

- 1. The added traffic would be dangerous to the adults and children already here plus the children going to and from the two schools that are within two blocks of this property. We know from experience that the Jefferson kids don't pay enough attention when crossing the streets and the children from Adams don't know yet how to be safe. That intersection at Sunset and Orchard is already on of the busiest and dangerous ones around.**
- 2. With the apartments and parking squeezed into that space, it leaves no open space for children to play except the street and no place for adults for baseball and football in their own backyard.**
- 3. We are also concerned about not having any quite time all people need. After a hard day's work, to go home to a peaceful and serene neighborhood is a must for healthy living.**

- 4. This is an older property with old water lines. We question the added water usage as our water in this area has fluctuated already.**
- 5. The sewer is taxed to the limit now as the sink holes that have occurred just down line from here have attested to.**



**Also please find enclosed a copy of a letter that I sent to Madera Tribune to Letters to the Editor that also expresses my concerns on this subject.**

**In closing, we would like you to know that this is a very short list of problems and is just the tip of the iceberg of problems that come with that high-density proposal. It makes no difference what you call it – apartments, luxury apartments, or luxury town houses, we need people who are buying into the community on a long-term basis.**

**Sincerely with the greatest respect,**

*George B Wilson*

**George B. Wilson  
617 El Rancho Drive  
Madera, CA 93637  
674-5810**

**Enclosure**

February 18, 2020



## **HOW TO DESTROY A PEACEFUL NEIGHBORHOOD**

**Start by putting in 20 units of high-density apartments. Then put in the parking spaces for the units across the street on the other end of the block.**

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**Whatever the Planning Commission, City Council, and all Agencies involved decide, please do not allow our neighborhood to be destroyed.**

*George B Wilson*  
**George Wilson**  
**617 El Rancho Drive**  
**Madera, CA 93637**

Undeliverable: sunset apartments

From: postmaster@madera.gov  
To: jholiday17@yahoo.com  
Date: Thursday, May 28, 2020, 12:20 PM PDT

RECEIVED  
MAY 29 2020  
CITY OF MADERA  
PLANNING DEPARTMENT

**Delivery has failed to these recipients or groups:**

[planningcommissionpubliccomment@madera.gov](mailto:planningcommissionpubliccomment@madera.gov) ([planningcommissionpubliccomment@madera.gov](mailto:planningcommissionpubliccomment@madera.gov))

Your message couldn't be delivered. Despite repeated attempts to contact the recipient's email system it didn't respond.

Contact the recipient by some other means (by phone, for example) and ask them to tell their email admin that it appears that their email system isn't accepting connection requests from your email system. Give them the error details shown below. It's likely that the recipient's email admin is the only one who can fix this problem.

For more information and tips to fix this issue see this article: <https://go.microsoft.com/fwlink/?LinkId=389361>.

**Diagnostic information for administrators:**

Generating server: BYAPR09MB3589.namprd09.prod.outlook.com  
Total retry attempts: 12

planningcommissionpubliccomment@madera.gov  
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Received-SPF: Pass (protection.outlook.com: domain of yahoo.com designates 98.137.66.146 as permitted sender) receiver=protection.outlook.com; client-ip=98.137.66.146; helo=sonic317-20.consmr.mail.gq1.yahoo.com;

Received: from sonic317-20.consmr.mail.gq1.yahoo.com (98.137.66.146) by DM3GCC02FT006.mail.protection.outlook.com (10.97.8.155) with Microsoft SMTP Server (version=TLS1\_2, cipher=TLS\_ECDHE\_RSA\_WITH\_AES\_256\_GCM\_SHA384) id 15.20.3021.23 via Frontend Transport; Wed, 27 May 2020 20:06:37 +0000

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sunset apartments

From: Jerol Holiday (jholiday17@yahoo.com)

To: planningcommisionpubliccomment@madera.gov

Date: Wednesday, May 27, 2020, 01:06 PM PDT

RECEIVED  
MAY 29 2020  
CITY OF MADERA  
PLANNING DEPARTMENT

This is clarification on my previous letter.

My concern for pedestrian traffic, elementary and middle school children use the intersection of Sunset and Orchard along with traffic of those to and from work. It is a danger to the children. Severely impacted at those times.

The initial study that is required by CEQA is checked as "no impact". Everyone living in this area knows that is incorrect. Safety measures are already in place at Thomas Jefferson middle school for the pedestrians. Safety measures should be installed at this projects intersection even if not building apartments. Mitigation should be required here. CEQA section 21081.2 (b) applies to this.

I believe this is "Infill". CEQA Chapter 2, sec.21080.50, (3)(4)(5). 21081.2,(a)(b) and 21081.6,(b). Mitigation should be required here.

Also, is the General Plan and Transportation Plan current?

If R-3 is to be the new zoning is an on-site manager required for 20 units?

Please include this along with the previous letter into the record.

Jerol Holiday  
1900 Venturi Ave  
madera.

**Attachment 5: Neighborhood Meeting Minutes**

# Gary A. Rogers Inc.

## Meeting Minutes - Sunset Ave 15 unit Luxury Townhouses Neighborhood Input

05/08/2020 @ 6pm  
1816 Howard Rd Ste #8  
Madera Ca 93637

In Attendance: Bertha Avila, Steven Hill, Tanya Hill, Louise Hill, Tammie Dodson, Paul Dodson, Nadeem Ahmed, James Chandler, John Evans, Aftab Naz, Gary A. Rogers and Tera Greathouse

### 1. Introduction

Gary Rogers greeted neighbors and introduced the project developer Dr. Aftab Naz. All plans were displayed to scale on 24" x 36" sheets and individual hand-outs of all plans were provided to attendees in 8 ½ x 11" packets. Gary Rogers presented all facts and building information of the current site plan, floor plans and elevations for the proposed project. He informed everyone this project would need to go through a rezone because the current zoning threshold is a minimum of 20 units. The purpose and intent of the project was clarified to those in attendance as not being a section 8 housing project and the goal would be to attract those of median household incomes in the City of Madera. The developer, Dr. Naz, who has been a long time resident of Madera, has raised kids here and operates his business in the city, spoke of wanting to protect his investments from any negative impacts and feels invested in his community. He wants to create an appealing development that would enhance the immediate neighborhood area from what currently exists.

### 2. Discussion

The meeting was opened up to the audience to discuss any design issues or neighborhood concerns they may have. The following topics were the main issues discussed at length:

- **Parking & Traffic** – Many homeowners didn't want any future residents or guests from the development parking in front of their houses. There were also concerns of possible added traffic that might come from the development. Gary informed everyone that the parking spaces provided exceeded the bare minimum requirement and a development of this size was going to have a minimal impact on traffic operations. Currently there will be some alley improvements the development will be responsible for that the city will require.
- **Invasive Windows** – One homeowner with an adjacent property was concerned if there were windows that could look down into their backyards. Discussion on the building locations and design determined that there would be no way for viewing intrusions into private yards.

Gary A. Rogers Inc.

Meeting Minutes, 05/08/2020 @ 6pm

1816 Howard Rd Ste #8

Madera Ca 93637

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- **Alley Security & Vandalism issues** – the issue of loitering, theft and vandalism along the alley was brought up by a homeowner who lives off the alley. He mentioned that kids walk up that alley and will hang around the existing building. There have been instances of theft, vandalism, and kids climbing up on the building or creating other problems. Several homeowners thought parking spaces off the alley wasn't a good idea and fencing off the alley or security cameras would help deter theft and vandalism. Gary thought the fence could be a good idea and would consider redesigning the parking area.
- **Allowing Pets** – Homeowners wanted to know if tenants would be allowed to keep pets. Dr. Naz spoke to this issue and said from his experience cats are less intrusive and easy to manage but dogs can cause issues with barking and aggression. He is willing to allow one or two cats but no dogs.
- **Neighborhood Density** – One homeowner in attendance did not like the idea of townhouses and was not happy with the project and wanted to see single family homes instead. He felt the project did not fall in line with the neighborhood density. Gary and Dr. Naz reminded everyone they did reduce the number of units already from 20 to 15 but feel this project will provide Madera with more housing options and the Dr would like to invest in townhouses over single family homes.

**Attachment 6: Negative Declaration**

**CITY OF MADERA**  
**INITIAL STUDY / ENVIRONMENTAL CHECKLIST**

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**I. BACKGROUND AND PROJECT DESCRIPTION**

1. **Application No.:**  
General Plan Amendment 2020-01, Site Plan Review 2020-01 & Variance 2020-01
2. **Project Title:**  
Sunset Apartments
3. **Lead Agency Name and Address:**  
City of Madera, 205 W. 4<sup>th</sup> St., Madera, CA 93637
4. **Contact Person and Phone Number:**  
Jesus R. Orozco – (559) 661-5436
5. **Project Location:**  
Northeast corner of Sunset Avenue and Orchard Avenue
6. **Project Applicant's/Sponsor's Name and Address:**  
Gary Rogers – 1816 Howard Rd. Suite 8, Madera, CA 93637
7. **General Plan Designation:**  
Current: C (Commercial)                      Proposed: HD (High Density)
8. **Zoning:**  
R3 (High Density Residential)
9. **Project Background:**  
The proposal is an application for a General Plan Amendment from a C (Commercial) to an HD (High Density) land use designation to provide consistency between the land use and the current R3 (High Density Residential) zone district. The Site Plan Review application would guide the rehabilitation of the project site. The rehabilitation entails the partial demolition of the existing building, resulting in two separate apartment buildings encumbering a cumulative of fifteen units composed of two- and three-bedrooms. The site will also include open space areas, including two common areas with playground equipment, barbecue areas, required covered and uncovered parking areas, and landscaping surrounded by perimeter fencing. The variance would memorialize any non-conforming building setback requirements of the R3 Zone District.
10. **Public Agencies Whose Approval or Review Is Required:**  
Madera Irrigation District, Madera Unified School District and San Joaquin Valley Air Pollution Control District.

11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**  
California Native American tribes traditionally and culturally affiliated with the project area did not request consultation pursuant to Public Resources Code Section 21080.3.1.

## II. ENVIRONMENTAL SETTING

The project site is developed property with a former two-story fitness club building composed of multiple exercise rooms and a swimming pool. The project site encompasses approximately 0.91-acres. Access to the property will occur from Orchard Avenue. The project site is surrounded by single-family residential dwellings to the north, east, and south and a worship center/church to the west.



### III. ENVIRONMENTAL CHECKLIST

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

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

### IV. DETERMINATION

On the basis of this initial evaluation:

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

Signature: 

Date: 05/18/2020



ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>1. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:</b>				
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><b>Discussion</b>  Rehabilitation of the existing two-story building does 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 will add some additional sources of light within the urban environment. The site is not in proximity to locally prominent scenic or visually significant resources. The project would conform with and incorporate General Plan policies and requirements. No additional analysis is required.</p> <p><b>Less than Significant Impacts</b>  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. Exterior lighting on building and in open areas will be shielded or muted by design of fixtures, surrounding buildings and substantial landscaping. The overall impact of additional light and glare will be minimal.</p> <p><b>No Impacts</b>  a. The project will not result in the obstruction of federal, state or locally classified scenic areas, historic properties, community landmarks or formally classified scenic resources, such as a scenic highway, national or state scenic area, or scenic vista.  b) The project will not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.  c) The project will not substantially degrade the existing visual character or quality of the site and its surroundings. The project also does not 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
<p><b>2. AGRICULTURE AND FOREST RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement Methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
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><b>Discussion</b> The project site is located on land identified as “Urban and Built-Up Land” on the 2016 California Farmland Mapping and Monitoring Program map.</p> <p><b>No Impacts</b></p> <p>a) The project would not convert prime farmland, unique farmland, or farmland of statewide importance (as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency) to non-agricultural use. The project site is identified as “Urban and Built-Up Land” on the 2016 California Farmland Mapping and</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Monitoring Program map, which includes land that is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. The project site has been identified for commercial use within the City of Madera General Plan, and the land is not currently being utilized for agricultural purposes. The proposed General Plan Amendment will facilitate a compatible transition from a commercial land use to a residential land use with the surrounding single-family uses.</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 rehabilitation an existing building from a fitness club to a fifteen unit apartment complex, will not involve other changes in the existing environment, due to the project property's location or nature, that would result in the conversion of Farmland to a non-agricultural use or conversion of forest land to non-forest use.</p>				
<p><b>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:</b></p>				
a) Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			✓	
c) Expose sensitive receptors to substantial pollutant concentrations?			✓	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?			✓	

<b>ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):</b>	<b>Potentially Significant Issues</b>	<b>Potentially Significant Unless Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<p><b><u>Discussion</u></b></p> <p>The project site is located within the San Joaquin Valley Air Basin (SJVAB). Air quality conditions in the SJVAB are regulated by the San Joaquin Valley Air Pollution Control District (SJVAPCD). The region is classified as a State and Federal non-attainment area for PM10 (airborne particulate matter with an aerodynamic diameter of less than 10 microns), and ozone (O3).</p> <p>Air quality is determined by the type and amount of contaminants emitted into the atmosphere, the size and topography of the SJVAB, and its meteorological conditions. National and state air quality standards specify the upper limits of concentrations and duration in the ambient air for O3, CO, nitrogen dioxide (NO2), PM10, sulfur dioxide (SO2) and lead (Pb). These are “criteria pollutants.” The SJVAPCD also conducts monitoring for two other state standards: sulfate and visibility.</p> <p>The State of California has designated the project site as being a severe non-attainment area for 1-hour O3, a non-attainment area for PM10, and an attainment area for CO. The EPA has designated the project area as being an extreme non-attainment area for 1-hour O3, a serious non-attainment area for 8-hour O3, a serious non-attainment area for PM10, and a moderate maintenance for CO.</p> <p>The project would not conflict with or obstruct the implementation of applicable Regional Air Quality Control Plans.</p> <p>Similarly, the project will be evaluated to determine required compliance with District Rule 9510, which is intended to mitigate a project’s impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit and Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. Demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit would be made a condition of project approval.</p> <p>Short-term construction impacts on air quality, principally from dust generation, will be mitigated through watering. The project would not create substantial air emissions or deterioration of ambient air quality, and the development will be subject to SJVAPCD review. Construction equipment will produce a small amount of air emissions from internal combustion engines and dust. The project will not violate any air quality standard or substantially contribute to an existing or projected air quality violation. The project will not result in a considerable net increase in non-attainment pollutants in this area. The project will not expose sensitive receptors to any significant amount of pollutants. The project will not create any objectionable odors.</p> <p>The proposed General Plan amendment and site plan review 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</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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.				
<b>Less than Significant Impacts</b>				
<p>a) According to the San Joaquin Valley Air Pollution Control District (SJVAPCD), the project is subject to some District Rules. The project will not conflict with or obstruct implementation of the applicable air quality plan.</p> <p>b) According to the SJVAPCD, the project would have a less than significant impact on air quality when compared to the significance thresholds of the following annual criteria pollutant emissions: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides in nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5).</p> <p>c) The project would not expose sensitive receptors to substantial pollutant concentrations.</p> <p>d) The development of the project would not result in other emissions, such as those leading to odors adversely affecting a substantial number of people.</p>				
<b>4. BIOLOGICAL RESOURCES. Would the project:</b>				
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				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓
<p><b>Discussion</b></p> <p>With the preparation of the City of Madera General Plan, no threatened or endangered species were identified in the project area. Visits to the project site determined 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><b>No Impacts</b></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>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>d) The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.</p> <p>e) The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p> <p>f) The project does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.</p>				
<b>5. CULTURAL RESOURCES. Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?				✓
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				✓
c) Disturb any human remains, including those interred outside of formal cemeteries?				✓
<p><b>Discussion</b> 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><b>No Impacts</b></p> <p>a) The project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 because there are no known historical resources located in the affected territory.</p> <p>b) The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 because there are no known archaeological resources located in the affected territory.</p> <p>c) The project would not disturb any human remains, including those interred outside of formal cemeteries, because there are no known human remains located in the affected territory. When development occurs in the future and if any remains are discovered, the requirements of CEQA that regulate archaeological and historical resources (Public Resources Code Section</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
21083.2 and 21084.1), and all local, state, and federal regulations affecting archaeological and historical resources would be complied with.				
<b>6. ENERGY. Would the project:</b>				
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?				✓
<b>Less than Significant Impacts</b>				
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.				
<b>No Impacts</b>				
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.				
<b>7. GEOLOGY AND SOILS. Would the project:</b>				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓
ii. Strong seismic ground shaking?				✓
iii. Seismic-related ground failure, including liquefaction?				✓
iv. Landslides?				✓



ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?				✓
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				✓
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓
<p><b>Discussion</b></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><b>No Impacts</b></p> <p>a)</p> <p>i. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving the rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. No known faults with evidence of historic activity cut through the valley soils in the project vicinity. The major active faults and fault zones occur at some distance to the east, west and south of the project site. Due to the geology of the project area and its distance from active faults, the potential for loss of life, property damage, ground settlement, or liquefaction to occur in the project vicinity is considered minimal.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>ii. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking. Ground shaking generally decreases with distance and increases with the depth of unconsolidated alluvial deposits. The most likely source of potential ground shaking is attributed to the San Andreas, Owens Valley, and the White Wolf faults. Based on this premise and taking into account the distance to the causative faults, the potential for ground motion in the vicinity of the project site is such that a minimal risk can be assigned.</p> <p>iii. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction. Liquefaction describes a phenomenon in which a saturated soil loses strength during an earthquake as a result of induced shearing strains. Lateral and vertical movement of the soil mass combined with loss of bearing usually results. Loose sand, high groundwater conditions (where the water table is less than 30 feet below the surface), higher intensity earthquakes, and particularly long duration of ground shaking are the requisite conditions for liquefaction.</p> <p>iv. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides.</p> <p>b) The project would not result in substantial soil erosion or the loss of topsoil. Construction of urban uses would create changes in absorption rates, drainage patterns, and the rate and amount of surface runoff on the selected project site. Standard construction practices that comply with the City of Madera ordinances and regulations, the California Building Code, and professional engineering designs approved by the Madera Engineering Department will mitigate any potential impacts from future urban development, if any.</p> <p>c) The project would not be located on a geologic unit or soil that is unstable as a result of the project, and not potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.</p> <p>d) The project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), not creating substantial direct or indirect risks to life or property.</p> <p>e) The project would not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. The City of Madera would provide necessary sewer and water systems upon project approval.</p> <p>f) The project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>8. GREENHOUSE GAS EMISSIONS. Would the project:</b>				
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><b>Discussion</b></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, include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. AB 32 requires the California Air Resources Board (ARB), the State agency which regulates statewide air quality, to adopt rules and regulations that would achieve GHG emissions equivalent to 1990 statewide levels by 2020.</p> <p>As part of the 2011 City of Madera General Plan update, the Conservation Element includes several goals, policies and programs in the Air Quality, GHG Emissions and Climate Change sections which address and promote practices that meet or exceed all state and federal standards and meet or exceed all current and future state-mandated targets for reducing GHG emissions. The City also requires applicants for all public and private development to 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><b>Less than Significant Impacts</b></p> <p>a) The project would not, by itself, generate significant GHG emissions or contribute to global warming because the rehabilitated 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>				
<b>9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</b>				

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a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✓
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ miles of an existing or proposed school?				✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				✓
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>Discussion</b></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 site plan.</p> <p><b>No impacts</b></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>				
<b>10. HYDROLOGY AND WATER QUALITY. Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?				✓
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				✓
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
river or through the addition of impervious surfaces, in a manner which would: i. Result in substantial erosion or siltation on- or off-site;				
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				✓
iii. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or				✓
d) In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?				✓
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				✓

**Discussion**

The project would not violate any water quality standards or waste discharge requirements. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. Services will be provided in accordance with the City's Master Plans. The project would not change any drainage patterns or stream courses, or the source 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 the completion of the project, the project would not bring about erosion, significant changes in topography, or unstable soil conditions.

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

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

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<p><b><u>No Impacts</u></b></p> <p>a) The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater 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 stormwater drainage into the approved stormwater systems. Any development will also be required to comply with all local, state, and federal regulations to prevent any violation of water quality standards or waste discharge requirements.</p> <p>b) The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.</p> <p>c)</p> <p>i. The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would not result in substantial erosion or siltation on- or off-site.</p> <p>ii. The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.</p> <p>iii. The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.</p> <p>d) The project is not located in flood hazard, tsunami or seiche zones and it will not risk the release of pollutants due to project inundation.</p> <p>e) The project does not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan.</p>				
<b>11. LAND USE AND PLANNING. Would the project:</b>				
a) Physically divide an established community?				✓
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
purpose of avoiding or mitigating an environmental effect?				
<p><b>Discussion</b></p> <p>The project will not provide conflict with the General Plan and Zoning Ordinance because the General Plan Amendment will provide consistency between the project site's current R3 (High Density Residential) zone district, whereas the current C (Commercial) land use designation has been observed to be incompatible with surrounding single-family uses.</p> <p><b>No Impacts</b></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 existing 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>				
<b>12. MINERAL RESOURCES. Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓
<p><b>No Impacts</b></p> <p>a) The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.</p> <p>b) The project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.</p>				
<b>13. NOISE: Would the project result in:</b>				
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,				✓



ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				
<p><b>Discussion</b></p> <p>These potential impacts were addressed in the General Plan EIR, and goals and mitigation measures were adopted to reduce potential impacts to a less than significant level. Development of the project area is consistent with the urbanization of the Madera area, as evaluated in the General Plan, and its EIR. Use of outdoor leisure areas, particularly those designed for children, will result in the generation of associated noise. The development's design shelters and buffers these areas from adjacent residential properties. Therefore, impacts in this category are not anticipated to exceed the impacts addressed in these documents. Construction activities must comply with applicable noise policies and standards established by the City.</p> <p><b>No Impacts</b></p> <p>a) The project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.</p> <p>b) The project would not generate excessive ground-borne vibration or ground-borne noise levels.</p> <p>c) The project site is not located within the vicinity of a private airstrip or an airport land use plan and would not expose people residing or working in the project area to excessive noise levels.</p>				
<b>14. POPULATION AND HOUSING. Would the project:</b>				
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><b>Discussion</b></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><b>Less than Significant Impacts</b></p> <p>a) The project does induce unplanned population growth in the area directly with the construction of fifteen new dwelling units, but the growth will not be substantial.</p>				

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<b><u>No Impacts</u></b>				
b) The project will not displace substantial numbers of existing people or housing which will not necessitate the construction of replacement housing elsewhere.				
<b>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:</b>				
a) Fire protection?				✓
b) Police protection?				✓
c) Schools?				✓
d) Parks?				✓
e) Other public facilities?				✓
<b><u>Discussion</u></b>				
<p>The development of the project site would not result in substantial adverse physical impacts from new or altered public facilities. As development occurs, there would be a resultant increase in job opportunities, and a greater demand placed upon services, such as fire and police protection, and additional park and school facilities. This additional demand is consistent with the demand anticipated in the General Plan and evaluated in the General Plan EIR.</p>				
<p>The project would not bring about the need for new wastewater treatment facilities. The project would not significantly increase the demand on water supplies beyond the levels anticipated in the General Plan and the Water Master Plan. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. The project would not increase the need for additional stormwater 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>				
<b><u>No Impacts</u></b>				
a) The project would not result in substantial adverse physical impacts to fire protection services.				
b) The project would not result in substantial adverse physical impacts to fire protection services.				
c) The project would not result in substantial adverse physical impacts to school services. The Madera Unified School District levies a school facilities fee to assist defraying the impact of residential development.				
d) The project would not result in substantial adverse physical impacts to park facilities.				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) The project would not result in substantial adverse physical impacts on other public facilities.				
<b>16. RECREATION. Would the project:</b>				
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><b>Discussion</b> 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><b>Less Than Significant Impact</b> a) The project would increase some use of existing neighborhood and regional parks or other recreational facilities such that some physical deterioration of the facility would occur or be accelerated. The project will provide open space areas and amenities consistent with R3 Zone District's open space requirements, which would reduce the impacts to the existing neighborhood and regional parks or other recreational facilities to a less than significant impact.</p> <p><b>No Impacts</b> b) The project will include the construction of large two open space community areas including a playground, covered lounge areas, two tot lots that would provide for recreational activities, but they will not have an adverse physical effect on the environment.</p>				
<b>17. TRANSPORTATION. Would the project:</b>				
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)?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in inadequate emergency access?				✓
<p><b>Discussion</b></p> <p>The project site was included in the General Plan and its accompanying EIR and the potential traffic generated from the land use at the time the EIR was completed. The goals and policies of the General Plan serve to mitigate traffic impacts that occur as a result of new development. The fifteen unit apartment project is anticipated to generate 8 AM and 10 PM peak hour trips per the 10<sup>th</sup> Edition Trip Generation Manual, a decrease from the previous fitness club use which generated approximately 18 AM and 49 PM peak hour trips.</p> <p><b>No Impacts</b></p> <p>a) The project would not conflict with any program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. All pedestrian walkways will be constructed consistent with the City of Madera Engineering Department standards and Americans with Disabilities Act (ADA) standards.</p> <p>b) The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). The project is not located within one-half mile of an existing major transit stop or along an existing high-quality transit corridor.</p> <p>c) The project would not substantially increase hazards due to a geometric design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment).</p> <p>d) The project would not result in inadequate emergency access.</p>				
<b>18. Tribal Cultural Resources. Would the project:</b>				
<p>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <p>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</p>				✓
<p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public</p>				✓

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Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe				
<p><b>No Impacts</b></p> <p>a) The project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, 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). As described above, no known TCRs have been identified (as defined in Section 21074) within the project area. Therefore, the project would not cause a significant adverse change in the significance of a TCR that is either listed in, or eligible for listing in, the CRHR, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).</p> <p>b) The project is not a resource determined by the lead agency (City of Madera), in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. The project site is not listed as a historical resource in the California Register of Historical Sources. As described above, no known TCRs have been identified (as defined in Section 21074) within the project area, and no substantial information has been provided to the City to indicate otherwise. Therefore, the project would not cause a significant adverse change, based on substantial evidence, in the significance of a TCR.</p>				
<b>19. UTILITIES AND SERVICE SYSTEMS. Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or which could cause significant environmental effects?				✓
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				✓
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate				✓

<b>ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):</b>	<b>Potentially Significant Issues</b>	<b>Potentially Significant Unless Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
capacity to serve the project’s projected demand in addition to the provider’s existing commitments?				
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				✓
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				✓

**Discussion**

The City’s community sewage disposal system would continue to comply with Discharge Permit requirements. The project would not bring about the need for new wastewater treatment facilities. The project would not significantly increase the demand on water supplies, adequate domestic water and fire flows should be available to the property. There would not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. The project would not increase the need for additional stormwater 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.

**No Impacts**

- a) The project would not require the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities which would be of significant environmental effects.
- b) The project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.
- c) The project would result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments.
- d) The project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.
- e) The project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>				
a) Substantially impair an adopted emergency response and/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><b>Discussion</b> 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 on wildfire hazards.</p> <p><b>No Impacts</b></p> <p>a) The project would not substantially impair an adopted emergency response and/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
<b>21. MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:</b>				
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><b><u>Discussion</u></b> 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 Recreation.</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><b><u>No Impacts</u></b></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>				



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

**Item #2**

**CUP 2020-02 & 03 – Captain Mart & Wireless**

Staff is requesting this item be continued to the July 14<sup>th</sup>, 2020 Planning  
Commission meeting.