

**CITY OF MADERA PLANNING COMMISSION
REGULAR MEETING
June 9, 2020**

CALL TO ORDER: The meeting was called to order by Chairperson Cortes at 6:00 p.m.

ROLL CALL

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

ABSENT: Commissioner Alex Salazar
Commissioner Ryan Cerioni

STAFF: Darrell Unruh, Interim Planning Manager
Jesus Orozco, Assistant Planner
Keith Helmuth, City Engineer
Tiffany Ljuba, Assistant Engineer
Brandi Garcia, Recording Secretary
Information Services Manager, Mark Souders

Jesus Orozco introduced Gary Conte, the new Planning Manager who was also present in the meeting.

PLEDGE: None

PUBLIC COMMENT: None

MINUTES: Commissioner Gran moved to approve all minutes as submitted. Seconded by Commissioner Lopez, the minutes were approved unanimously.

NON-PUBLIC HEARING ITEMS: None

CONSENT 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

Jesus Orozco, Assistant Planner presented the item.

Commissioner Tyler asked; wouldn't it be the same problem with traffic that we had when the gym was there?

Mr. Orozco said staff used the trip generation manual and it determined there would be less of an impact compared to the previous athletic club. With the apartments the calculations showed 8 trips for the am and 10 trips for the pm. Previously the same method of trips used on the athletic club showed it had about 18 trips in the am and 49 in the pm. The City Engineer can elaborate more on the traffic and calculations.

Commissioner Tyler said there may be some younger people in there that still draw that crowd. She's noticed excess cars parking where there's an apartment complex in the middle of residential. Even with a family of two or three there will probably be two vehicles.

Mr. Helmuth said the numbers quoted by Mr. Orozco are directly out of the trip generation manual. They take surveys from different land uses throughout the country in different cities and plot them to determine what the trips would be for certain projects, different types and sizes. In theory health clubs generate more traffic if they are relatively large. The previous health club was probably generating more than what they calculated. They had more intense uses than was ever imagined for that site. They had cars parking all over the street and a parking lot down the street. There was, probably more cars going in and out than this complex would have. It's a theoretical approach but we think we can expect less trips.

Commissioner Tyler asked if anyone has gone to an apartment complex that is in the middle of a residential area to see the parking. It's more than one or two vehicles per unit. She lives in a general area like that. The complex is impacted with excess vehicles.

Mr. Helmuth said that when you see cars parked outside the facility there will usually be empty spaces inside. People sometimes choose to park outside so they can get in their car and drive away instead of having to navigate through the parking lot. However, there is the potential for more cars to be per unit than anticipated. The numbers are based upon surveys and not based upon what could be.

Commissioner Tyler asked if they factored in the schools that are right there, John Adams?

Commissioner Gran said there's TJ too.

Mr. Helmuth said there can be variations. With a couple schools nearby he would expect trips to drop. If it's a ½ mile away or more he would expect the numbers to be greater because parents are concerned about their kids walking. If it's a reasonable walk, there might be less cars.

Commissioner Gran asked Mr. Helmuth if he was meaning that if there's schools right there the kids will go to those schools.

Mr. Helmuth said he doesn't think most parents will get in the car to drive the kids one block. The number quoted probably does include some parents dropping their kids off and heading straight to work.

Commissioner Gran asked how many parking spaces are required and how many are provided. He also asked how many visitor spaces are there?

Mr. Orozco said there are 36 parking stalls.

Commissioner Gran said, ok 36 total and how many are required?

Mr. Orozco said 34.

Commissioner Tyler replied that with 36 and 34 required there's only 2 extra for guests, so everyone else will be parking on the street.

Mr. Orozco said it's two per unit so that would be 30 required and then there would be 6 for guests.

Commissioner Tyler asked if these would be low income/Section 8 housing.

Mr. Orozco said it has not been communicated to staff that these would be low income.

Commissioner Tyler replied she thought it was mentioned in the report.

Commissioner Gran said it was a concern of the neighbors, but they could ask Dr. Naz to make sure. He asked how much off-site parking is available and confirmed there would be 'No Parking' signs on Sunset.

Mr. Orozco said yes that will be required on Sunset.

Commissioner Gran asked how much off-site parking there will be directly in front of the apartment complex once the two driveways are constructed.

Mr. Orozco said it's quite difficult to calculate right now.

Commissioner Gran said that he just needs an estimate because they probably won't be able to park in between the two driveways.

Mr. Orozco said it would be maybe five to seven.

Commissioner Gran replied that you have six guest and five to seven extras on the street in the immediate area without going into the rest of the neighborhood. They're looking at about 12 extra non required stalls.

Commissioner Lopez said it would be good to know how many parking spaces the current development is proposing and how many the gym had. He asked Mr. Orozco if he had the information.

Mr. Orozco said he doesn't have the historic information to assess it. However, parking was an issue. They were using parking at Orchard and Sunset. They were very limited in terms of on-site parking. There was a covenant recorded for the parking lot at the

Northwest corner Venturi and Orchard. He doesn't have the exact number but there was a shortage of parking.

Commissioner Cortes asked if there were plans for the parking lot at Venturi and Orchard and asked if there was potential for that being used again.

Mr. Orozco said the project does not include off-site parking, only on-site. He believes the property being referred to is under the same ownership. The approval of the site plan would not include that property for parking. There has been preliminary discussion of developing that property with single family residences down the line.

Commissioner Lopez said he used to live less than 1000 feet of the gym, so he's familiar with that area. He thinks there will be a significantly less number of cars now compared to what there was with the gym.

Mr. Orozco said that is correct and with the housing there are a specific number of units so there will be a certain number of tenants. Those numbers as far as vehicles may change over time, but it won't change like with the gym and the number of patrons attending.

Commissioner Cortes asked if there was mention of a couple units being town home style units.

Mr. Orozco said it does include town home style.

Commissioner Cortes said that will definitely be an improvement to the corner and a deterrent to the homeless that are roaming around.

Commissioner Lopez noted there were comments about this being a school route. Since he used to live there, he knows there were a lot of kids walking to school. He asked if there was something being done for the safety of the kids on Sunset.

Mr. Helmuth said right now, the intersection of Orchard and Sunset already has a crosswalk and it's an all ways stop control. There is nothing proposed as of now for upgrades to the intersection.

Commissioner Lopez said he also noticed a problem with kids crossing Pine to Thomas Jefferson. He noticed that the City recently installed some islands to help the kids cross. Can we maybe ask the developer to do that?

Mr. Helmuth said on Sunset the pedestrian refuges were able to fit in because we weren't taking away from left turn pockets. In looking at an aerial view, we have one travel lane in each direction and one turn lane. There's not really a place in there to create a refuge for the pedestrians. They would have to do a fair amount of restriping and adjustments.

Commissioner Lopez said when the gym was open people were parking on Sunset and now that there's no parking on Sunset wouldn't that reopen some space for striping and being able to fit it.

Mr. Helmuth replied that is always possible, but he wouldn't necessarily be talking about it as part of this project. There was a time when the traffic model said Sunset needed to

be striped for four lanes. It's debatable if it could fit the four lanes. For the pedestrian refuges, he wouldn't be pursuing something like that right now, because it would be a fairly significant change to the roadway. He's not aware of any obvious need. He's not aware of any serious safety concerns on Sunset at this point. It would be a fairly significant change to the roadway.

Commissioner Cortes asked about a lighted crosswalk for the children.

Mr. Helmuth said he wouldn't do that either at this location because a lighted crosswalk indicates an uncontrolled intersection but in fact it is a controlled intersection. The most they would consider is to install lighted flashing stop signs. Again, he would only go there if there was a defined safety issue where he knows cars are not stopping for pedestrians, etc. If you pick any intersection in town, he can guarantee there will be someone that lives in the area and says it's a problem and someone will get hurt eventually. He doesn't have anything for this intersection that he can recall off hand. There may be other intersections in town that have higher priority needs.

Commissioner Tyler said, yes Keith, like in her neighborhood.

Mr. Helmuth said of course, everyone has a concern. All over town. We only have so much money and the stop signs are higher than he thought. They're a couple thousand dollars each and they get taken out by cars driving over them.

Commissioner Tyler said that's true, but she would rather have a stop sign taken out than a child.

Mr. Helmuth replied; for sure. We want to be judicious where we put them in. If they go everywhere, eventually the unlighted stop signs have little meaning and people start running those. We have to be careful when we decide to install upgrades to traffic control measures.

Commissioner Cortes said with the school there he thinks they would want to be proactive instead of waiting for something to happen.

Commissioner Tyler said she understands what Keith is saying. Where she lives in a heavy traffic area where there's a school, they barely just got crosswalks. Not really stop signs, maybe just the North and South stop signs. It is something we need to look to in the future.

Mr. Helmuth said we will as we get documented concerns. He will have the intersection accident history checked to see if there is anything happening on the site. Sometimes they will get reports saying something is going to happen and when they look there's nothing reported for accidents for the last two, three or four years. Do they spend \$25,000 to put flashers in where there's no documented concern or do they put them somewhere else where there is in fact a concern.

Commissioner Lopez said he thinks there will be less of a traffic concern with the apartment complex. With the removal of the parking at the corner on Orchard and Sunset will probably allow traffic to move a little faster and the vehicles can more easily make a right turn.

Mr. Helmuth said that is possible. The removal of the parking opens up site visits and provides the ability for cars to get out of the way for traffic. There's about 19-20 feet for vehicles to get out of the way for through movements. It may very well help, he agrees.

Commissioner Cortes asked if there were any other questions of staff. Seeing none, the public hearing was opened.

Mr. Orozco noted there were several letters submitted to staff for public comment after the packets were released. Those will be read before public comment.

Commissioner Cortes closed the public comment and asked for the letters to be read first.

Recording Secretary, Brandi Garcia said she had received a total of five public comments and read the first letter submitted by Larry Hibdon at 1828 Sunset Ave. He has lived there for 33 years. He noted the Negative Declaration did not address the traffic impact that may be generated by this project. Sunset Avenue is a very busy street and the intersection at Sunset/Orchard is heavily impacted by foot traffic at certain times of day. He thought a traffic study would have been done. The second item is that the Negative Declaration showed there would be a low to no impact from the noise. Apartments are generally inhabited by younger people who may stay up later and listen to loud music. He feels an onsite Manager would help. The third concern was that they proposed to change the zoning from Commercial to R3 and it seems like R1 would be the better fit for a single-family zone. He also wasn't sure what the variance was for since it seems there were enough parking spaces.

The next letter was read; It opposed the apartment complex because if it's a multi-story building tenants would be able to see into other people's yards from the second story and invade people's privacy. Other structures in the area are all single story. They have lived three blocks away on Claremont since 1972 and would not welcome the apartments to the area.

The third letter stated that they were opposed to the apartment complex at Sunset and Orchard. The traffic congestion and parking problems that was created by the athletic club should be a reason to not consider this project. It would create a problem in a previously quiet neighborhood. Sunset is a major thoroughfare and not a place for apartments. There is a school nearby with an abundance of children. The apartments would take from the quiet neighborhood and decrease the home value. Please don't take it upon yourselves to approve something that would not affect you personally. This is a single-family neighborhood.

The fourth letter read; the proposed zoning change and building proposal must not happen. This long-established neighborhood is appropriate for single family housing. High density housing does not belong here. With four lots, the appropriate use would be four single-family homes. For those of us living next to the property it invades our privacy. You as Commissioners would not approve this development in your backyard so don't approve it in ours, we have been a homeowner and resident for 30+ years.

The fifth letter stated they would like to see senior housing and that would be less of an impact for traffic.

Another letter came in after the meeting had already started from the homeowner at 528 Accornero Ave. They bought the home because of the location and spent a lot of money renovating the home for retirement. It makes no difference if the complex is section 8 or not, the area should be for residential homes for single families. They have lived in apartments and witnessed the problems with people who don't own the rentals. Building the complex would destroy the serenity of the area. The problems that come with it would result in them moving away from the area. Their vote is no, no, no.

Commissioner Cortes opened the public comment.

Gary Rogers, Project Architect of 1816 Howard Rd. spoke. He said it's an old building and they have been over this with the neighbors and there was a group of people that were concerned. Others didn't mind it. They listened to the concerns and most of them were regarding the parking and the children. Another concern was that it would be rented as section 8 and there would be all kinds of people living there. They were assured that it would not be section 8, and these would be luxury townhouses. Not your typical apartments, they would enhance the corner. There will be 15 luxury townhouses, large ones, there will be thirty parking spaces and six extras. There's room for seven more cars for extra guests.

When the gym was there, they had so many cars and you couldn't even go down the street. It was that way for many years. This project will not cause that, all cars will be parked on our property. We don't want to park on neighbor's properties. We're meeting the parking requirements and even providing more. There are playgrounds and BBQ areas. It will be fenced in except for the two driveway approaches. The alley will be blocked off. We have met the open space requirements for the families to enjoy. It's going to be a nice project. The vacant lot on the corner that was asked about will be used for three houses and will not be used for any extra parking. It will get rid of the homeless who keep breaking into that place and tearing it up. That's a good thing for the neighborhood.

They did a study themselves on the traffic. There will be a lot less cars than the club had. Not even ½ of the cars. The traffic will always be there since it's a main street. The children, they don't want to harm anyone and want them safe. Whatever goes in there, it will be the same that has been discussed tonight. He asked that the project gets looked at with an open mind.

Mr. Rogers asked the Dr. to speak. However, he was unable to be heard.

Tara, Gary Rogers office assistant said they had a letter from the Dr. she could read on his behalf. It read that he used to play racquet ball at the athletic club about 40 years ago. When it came up for sale, he purchased it and contemplated what to do. He thought about opening the athletic club again, thought about medical facilities but those would increase the traffic in the area. He thought of leaving it as is for his kids who will be practicing medicine in the town soon and let them decide what to do with it. It wouldn't be pretty for a long time though. They were going to put 20 apartments in it, but it fell one parking stall short. Now the plan is 15 townhouses. They listened to the neighbors and conformed to their suggestions. None of the windows overlook the neighbors. The alley has a block wall so there is no access. These will not be section 8 but cater to high end clients. The property will have a wrought iron fence. His family members are planning of building their houses in front of it so they will also be neighbors. He noted he hopes it meets the Commission's approval.

Mr. Orozco said that if the Dr. would like to call in, we can get him through later, but Commissioner Cortes could go ahead and open the neighborhood.

Commissioner Cortes opened the public hearing and asked Peter Peruch to speak.

Peter Peruch of (unable to hear audio). His property borders the old overflow parking lot for the gym. This is a great neighborhood and they chose it because of its quaintness and quietness. He really believes that apartments are not fit for this area, it's single-family living. He's lived in apartments and they are for nomads, people that don't really care. This neighborhood is for people laying down roots. Being that close to the school, you may have sex offenders there. He finds it strange we are talking about building apartments when the areas currently having problems with COVID-19 are the areas that are high density living. Everyone is saying it's going to be a lot better than it was. Why not make it the best it can be instead of just better than it was before.

Jason Khuna joined. Betsy DaSilva was with him and spoke. She resides at 712 Orchard Ave. and has been there for 30 years. She has a problem with the current traffic when school is in session. Their street is very busy because people cut through her street to avoid the stop light on Schnoor. There are children that walk, there's no sidewalks. Someone was killed on a motorcycle at Orchard and Venturi. They asked for a stop sign at that time and didn't get one. The argument of having stop signs as needed, even though there was a killing on the street they didn't get one. Her main concern is the children. It's a nice neighborhood. If you have ever been on Sunset in the morning at 8:00-8:15 when the kids are going to school, it's backed up. This will just add to it. She agrees with everyone that has put in a letter and asked everyone to think about the neighborhood and the children that live there.

James Chandler of 1912 Venturi Ave. spoke. He had a question about where the 'No Parking' would be. He asked if it would be on Sunset or Orchard.

Commissioner Cortes said it would be on Sunset.

Mr. Chandler said that was good and asked if there were any handicapped stalls for the complex.

Mr. Orozco said there are handicapped stalls provided.

Commissioner Gran asked how many.

Mr. Orozco said there are two which he believes to be consistent with ADA requirements.

Mr. Chandler said he lives a little further away so he doesn't have as many problems as those that live closer, but he does think this would be better as a single family.

Stephanie Valenzuela of 1904 Venturi Ave. said she has lived there a little over 18 years. People do speed through Venturi and they would like speed bumps or something. It's used as a short cut. She is opposed to this because of how it will affect the value of her home. She is also concerned about the parking and how it was going to be regulated. When the athletic club was going on, people would park in front of her house. A parking situation will happen. She's also concerned about the noise from the

construction. She asked about the tenants that get evicted and kicked out of the apartments. That can cause vandalism and she is opposed to it and hopes it doesn't go through.

With no further public comments, the public hearing was closed, and the item was returned to the Commission for further processing.

Commissioner Lopez asked about the common areas and if the concrete be removed to plant landscaping.

Mr. Orozco said yes, there are building additions that will connect the two original buildings. The common area will be demolished, and the concrete removed to accommodate for the parking and common open space area also.

Commissioner Gran asked Commissioner Tyler how she was feeling. She had expressed a lot of concern.

Commissioner Tyler said she knows it says the project will be high end but a lot of times that means more than a husband and wife and there's going to be excess vehicles. She would love to see single family homes or something. She doesn't like the idea of 15 townhomes going on that corner.

Commissioner Gran said he hears her loud and clear but are we ok with leaving it as is and letting it develop somewhere down the road with medical offices. This is what were have right now. There's a dilapidated building that is a hot spot for the homeless or vandalism, mischief, etc. Nothing is going to happen until they either totally demo it which will cost a lot and won't happen right away. The other option is to put medical offices there which are permitted in a commercial zone without having to change the zone. Medical offices are busy from 8-5.

Commissioner Tyler said she understands.

Commissioner Gran replied that he hears her concerns but he's trying to put it all out there.

Commissioner Tyler said she gets the picture and it is a sore eye. She has even complained about it. She just doesn't think it's suited for townhomes. It's her personal feeling.

Commissioner Cortes said he lives in the general area as well. He sees a big problem with the homeless and people walking up and down Sunset.

Commissioner Tyler said that's all over Madera.

Commissioner Cortes said that's right, but he believes right now they have the opportunity to correct the problem in that neighborhood.

Commissioner Gran said he didn't try to maximize the project; he did downsize it from 20 to 15.

Commissioner Tyler said she knows that, and they can agree to disagree. She puts herself in their neighborhood. She lives in a neighborhood with an apartment complex

and it's an issue. She sees it from her standpoint. At first the complex was nice and now it's a nightmare with the excess vehicles. If you have a four bedroom with three to four adults, you're going to have three to five vehicles, that's a given. She's looking at the excess parking and the traffic. But the traffic on Sunset has always been there. You're going to bring in 30-50+ or more people. They're saying high end but depending on how high end, what if you get a younger person that will have to have four different roommates, you're talking about four cars then. You're only entitled to two stalls and you have four vehicles. If she was single, she might be like, ok let's rent this, we each have a room, but then you have four people with four vehicles. She notices it a lot with these apartment complexes. It is a sore eye to see and there's the homeless issue too. It's just her concern with it.

Commissioner Gran asked Commissioner Lopez how he felt about it.

Commissioner Lopez said it's hard for him also, but this is what we have now and what is being offered. He feels like if we don't do it now, the site will be bad for another couple years. He would really like single-family houses, but he doesn't think we are going to get that.

Commissioner Gran told Commissioner Broadhead he's been quiet.

Commissioner Broadhead said this is obviously an eye sore and a hot spot for transients. He thinks this will be an asset to the community as long as it's high end and is maintained that way. The traffic is a mess on Sunset but the traffic coming down the other street as mentioned in the public comment, where people are bypassing the light on Schnoor and taking the alternate route. Is there a way to slow the traffic down while they come down Orchard if we can't do anything on Sunset? As a project, it would be an asset if it's kept nice. The only issue he has is the traffic that already exists and the bypass traffic coming down Orchard. Even if this didn't happen you will still have that.

Commissioner Gran asked if anyone wanted to make a motion.

Commissioner Broadhead moved to approve Motion 1a. Seconded by Commissioner Gran, the motion carried 4-1 with Commissioner Tyler opposed.

Commissioner Gran moved to approve Motion 1b as stated. Seconded by Commissioner Broadhead, the motion carried 4-1 with Commissioner Tyler opposed.

Commissioner Cortes thanked the public for joining them.

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).

Commissioner Cortes moved to approve continuing this item to the July 14th, Planning Commission meeting as requested by staff.

The motion carried unanimously.

ADMINISTRATIVE REPORTS: None

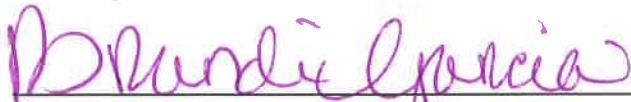
COMMISSIONER REPORTS:

Commissioner Gran let Commissioner Tyler know this was a really hard decision for him as well but the good outweighed the bad.

ADJOURNMENT: 7:26 pm



Planning Commission Chairperson



Brandi Garcia, Recording Secretary