



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

**CITY HALL – COUNCIL CHAMBERS
TUESDAY
February 8, 2022
6:00 pm**

The Council Chambers will be open to the public. This meeting will also be available for public viewing and participation through Zoom. 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: [#83730777408](https://www.zoom.us/j/83730777408) followed by *9 on your phone when prompted to signal you would like to speak, or by computer at <https://www.zoom.us/j/83730777408>. Public comment will also be accepted via email at planningcommissionpubliccomment@madera.gov.

The City will observe the Madera County Public Health Department recommendations. This may limit seating in the Council Chamber; however, the City will have seating available in the foyer. All persons visiting City facilities shall observe health and safety protocols.

CALL TO ORDER

ROLL CALL

Commissioner Robert Gran Jr. (Chairperson)
Commissioner Ryan Cerioni
Commissioner Ramon Lopez-Maciel
Commissioner Rohi Zacharia
Commissioner Khubaib Sheikh
Commissioner Balwinder Singh

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: May 24, 2021, June 8, 2021, August 10, 2021, August 26, 2021 & September 14, 2021

WORKSHOP:

- 1. The Impact of Flavored Tobacco on Youth and Our Community
(Report by Madera County Tobacco Control Program)**

CONSENT ITEMS: None

PUBLIC HEARING ITEMS:

- 1. SPR 2009-21 EXT 9 & CUP's 2013-04, 05, 06 and 07 – Foxglove Shopping Center**

A request for a one-year extension of an approved site plan review and various conditional use permits in support of the development of a retail shopping center. Conditional Use Permit 2013-04 allows for outdoor seating areas for the site in conjunction with food and beverage service, Conditional Use Permit 2013-05 allows for a drive-thru window for drug store use, Conditional Use Permit 2013-06 allows for alcohol sales for on-site consumption (beer, wine and spirits) within the shopping center project and shall be limited to sale and consumption within restaurant/café tenants where it is an accessory to food service and on or in the pads/shops specified. Conditional Use Permit 2013-07 allows for alcohol sales for off-site consumption within the shopping center and shall be limited to the Grocery Store use, Major A tenant (CUP 2013-07A) and the Pharmacy use on Pad G (CUP 2013-07G). The site is located on the southeast corner of N. Schnoor Ave. and Foxglove Way in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation. APN's: 013-160-005 & 013-160-016.

An environmental impact report was certified by the City on February 12, 2013, for the approved site plan review and conditional use permits. No further environmental review is required for the proposed extension.

- 2. CUP 2021-16 & SPR 2021-33 – Dutch Bros Coffee Shop**

A noticed public hearing to consider an application for a site plan review, which would allow for the construction of a 950 square foot coffee shop with a drive through on an approximately 0.65-acre site and a conditional use permit which would allow for the operation of the drive through in association with the coffee shop. The site is located in the Vallarta Shopping Center at the southeast corner of Country Club Drive and Clark Street in the C1 (Light Commercial) zone district and has a C (Commercial) General Plan land use designation. (APN: 003-210-019)

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15332 (In-Fill Development Projects).

- 3. CUP 2021-19 & SPR 2021-39 – In-N-Out Burger**

A noticed public hearing to consider Site Plan Review 2021-39, which would allow for the construction of a 3,879 square foot restaurant with a 747 square foot patio structure and a drive through on an approximately 1.45-acre site. Conditional Use Permit 2021-19 would allow for the operation of the drive through in association with the restaurant. The project is located in the Commons at Madera Fair shopping center and will occupy the current location occupied by the Sugar Pine Smokehouse, which would be raised and removed to facilitate the construction of the new In-N-Out Burger. The project site is bounded by a Madera fairgrounds parking lot to the east, the Madera fairgrounds facilities to the south, commercial businesses to the west, with Cleveland Avenue and other commercial establishments beyond to the north. The property is in the C2 (Heavy Commercial) zone district and has a C (Commercial) General Plan land use designation.

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15332 (In-Fill Development Projects).

NON-PUBLIC HEARING ITEMS: None

ADMINISTRATIVE REPORTS:

1. 2022 Meeting Calendar Update

COMMISSIONER REPORTS:

ADJOURNMENT:

The next regular meeting will be held on March 8, 2022.

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.