

## REGULAR MEETING OF THE MADERA PLANNING COMMISSION

205 W. 4<sup>th</sup> Street, Madera, California 93637

### NOTICE AND AGENDA

Tuesday, July 12, 2022  
6:00 p.m.

Council Chambers  
City Hall

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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 comment on agenda items at the meeting or remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 87270450535# followed by \*9 on your phone when prompted to signal you would like to speak, or by computer at <https://www.zoom.us/j/87270450535>. Comments will also be accepted via email at [planningcommissionpubliccomment@madera.gov](mailto:planningcommissionpubliccomment@madera.gov) or by regular mail at 205 W. 4th Street, Madera, CA 93637.

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#### **CALL TO ORDER:**

#### **ROLL CALL:**

Commissioner Robert Gran Jr.  
Commissioner Ramon Lopez-Maciel  
Commissioner Rohi Zacharia  
Commissioner Khubaib Sheikh  
Commissioner Balwinder Singh  
Commissioner Saim Mohammad  
Commissioner Jose Eduardo Garcia

#### **INTRODUCTION OF STAFF:**

#### **PLEDGE OF ALLEGIANCE:**

#### **APPROVAL OF MINUTES:** None

#### **PUBLIC COMMENT:**

*The first 15 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. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened.*



## **PUBLIC HEARINGS:**

### **1. Conditional Use Permit 2015-31 MOD 2 – Los Girasoles Restuarante**

#### **Subject:**

Modification to Conditional Use Permit 2015-31 for the issuance of Type 47 alcohol license for Los Girasoles Restuarante at 703 North Gateway.

#### **Recommendation:**

- A. Conduct a public hearing and adopt a Resolution adopting a finding of a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities) and approving Conditional Use Permit 2015-31 MOD 2 subject to the findings and conditions of approval. (Report by Ricardo Olea)

### **2. Precise Plan 2021-05 – Crown Tozer II**

#### **Subject:**

Precise plan for an approved 63 lot single-family residential subdivision on approximately 11.37 acres at the northwest corner of Tozer Street and Sunrise Avenue.

#### **Recommendation:**

- A. Conduct a public hearing and adopt a Resolution approving Precise Plan 2021-05 subject to the findings and conditions of approval. (Report by Robert Smith)

### **3. Conditional Use Permit 2019-04 MOD & Tentative Parcel Map 2021-03 – Full Throttle Suspension**

#### **Subject:**

Modification to Conditional Use Permit 2019-04 and a tentative parcel map to subdivide a developed 10.7-acre parcel at 2587 Condor Drive into 3 parcels ranging from 1.5 to 7.4 acres and modify the conditions of the existing use permit and extinguish Conditional Use Permit 2019-03 to align with proposed parcel arrangement.

#### **Recommendation:**

- A. Conduct a public hearing and adopt a Resolution adopting a finding of categorical exemption pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 and 15315 and approving Conditional Use Permit 2019-04 MOD and Tentative Parcel Map 2021-03. (Report by James Troyer)

### **4. Conditional Use Permit 2022-05 & Site Plan Review 2022-19 – Hot Box Smoke Shop**

#### **Subject:**

Conditional use permit and site plan review to allow a smoke shop and apparel store to occupy Suite M of 47 Place West shopping center located at 1930 Howard Road.

#### **Recommendation:**

Conduct a public hearing and:



- A. Adopt a Resolution adopting a categorical exemption pursuant to the California Environmental Quality Act (CEQA) Section 15061(b)(3) (General Rule) and approving a Determination of Use (DOU 2015-01) (Tobacco shops, vape lounges, and hookah bar uses).
- B. Adopt a Resolution adopting a finding of categorical exemption from CEQA pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and approving Conditional Use Permit 2022-05 and Site Plan Review 2022-19 subject to the findings and conditions of approval. (Report by Ricardo Olea)

**5. Conditional Use Permit 2022-11 & Site Plan Review 2022-18 – Microblading by Veasna**

**Subject:**

Conditional use permit and site plan review to allow a semi-permanent (tattoo) make-up beauty shop to occupy Suite J of 47 Place West shopping center located at 1930 Howard Road.

**Recommendation:**

- A. Adopt a Resolution adopting a categorical exemption pursuant to the California Environmental Quality Act (CEQA) Section 15061(b)(3) (General Rule) and approving a Determination of Use (DOU 2022-01) (Tattoo parlors and microblading uses).
- B. Adopt a Resolution adopting a finding of categorical exemption from CEQA pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and approving Conditional Use Permit 2022-11 and Site Plan Review 2022-18 subject to the findings and conditions of approval. (Report by Ricardo Olea)

**6. Fiscal Year 2022/23 to 2027/28 Capital Improvement Program Determination of Conformity to the City of Madera General Plan**

**Subject:**

The City Council of the City of Madera reviewed the active and proposed projects in the City of Madera Fiscal Year 2022/2023 to 2027/28 Capital Improvement Program (CIP) and forwards the CIP to the Planning Commission for determination of conformance with the City General Plan pursuant to Government Code Section 65401.

**Recommendation:**

- A. Conduct a public hearing and adopt a Resolution determining the City of Madera Fiscal Year 2022/23 to 2027/28 Capital Improvement Program is in conformity with the City of Madera General Plan. (Report by Nicole Say)

**7. Abandonment 2022-01 – Clark Street Summary Vacation Determination of Conformity to the City General Plan and Determination of Environmental Review**

**Subject:**

Vacation of a portion of Clark Street between Owens Street and Taylor Street reducing the overall right-of-way width of an unimproved segment of Clark Street, a designated Collector street in the City General Plan Circulation Master Plan, from 80 to 60 feet.



**Recommendation:**

**STAFF IS REQUESTING THIS ITEM BE CONTINUED TO THE AUGUST 9, 2021, PLANNING COMMISSION MEETING.**

**ADMINISTRATIVE REPORTS:**

**COMMISSIONER REPORTS:**

**ADJOURNMENT:**

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.

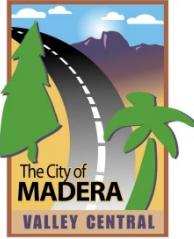
Any writing related to an agenda item for the open session of this meeting distributed to the Planning Commission less than 72 hours before this meeting is available for inspection at the City of Madera – Planning Department, 205 W. 4th Street, Madera, CA 93637 during normal business hours.

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.





## REPORT TO THE PLANNING COMMISSION

**Prepared by:**

Ricardo Olea, Assistant Planner

**Meeting of:** July 12, 2022

**Agenda Item:** 1

**SUBJECT:**

Modification to Conditional Use Permit 2015-31 (CUP 2015-31 MOD 2) for the issuance of a Type 47 alcohol license for El Patron. It is to be noted that El Patron was formally known as Los Girasoles Restauranté. Reference to Los Girasoles Restauranté is made only when discussing past actions taken by the applicant when under that business name.

**RECOMMENDATION:**

Conduct a public hearing to consider a Resolution adopting a finding of a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities) and approving CUP 2015-31 MOD 2.

**PROPOSAL:**

Entitlement for the issuance of a Type 47 alcohol license. Entitlement includes:

- Conditional Use Permit 2015-31 Modification (CUP 2015-31 MOD 2): grants the subject site a Type 47 alcohol license, authorizing the on-site sale and consumption of beer, wine, and distilled spirits.

**Table 1: Project Overview**

<i>Project Number:</i>	CUP 2015-31 MOD 2
<i>Applicant:</i>	Familia Rueda Inc.
<i>Property Owner:</i>	Leovigido Rueda Mendoza
<i>Location:</i>	703 N. Gateway Drive, approximately 290 feet south of the intersection between North Gateway Drive and West Central Avenue
<i>Project Area:</i>	Subject site sits on a 0.47-acre lot or approximately 312,120 square feet (sf)
<i>Plan Land Use:</i>	C – Commercial
<i>Zoning District:</i>	C2 – Heavy Commercial
<i>Site Characteristics</i>	Existing building of approximately 1,960 sf with an enclosed outdoor dining patio that covers an additional 855 sf. The Union Pacific Railroad abuts the rear of the site. The site has existing landscape throughout the property consisting of trees and shrubs.

**SUMMARY:**

The subject site is approximately 312,120 square feet (sf) and consists of an existing building of 1,960 sf with a covered patio that encompasses an additional 855 sf. The proposal calls for a modification of Conditional Use Permit 2015-31 (CUP 2015-31). CUP 2015-31 allowed Los Girasoles Restauranté to obtain



a Type 41 alcohol license, authorizing the sale of beer and wine for consumption on or off premises where sold. The proposed modification grants the applicant a Type 47 alcohol license. This change of license type allows for an expansion of alcohol type offered to include distilled spirits (e.g., liquor and mixed drinks). It is also to be noted that El Patron was formally known as Los Girasoles Restauranté. Reference to Los Girasoles Restauranté is made only when discussing past actions taken by the applicant when under that business name.

#### **SURROUNDING LAND USES:**

The proposed site is primarily surrounded by commercial uses. Table 2 below lists all the immediate uses adjacent to the subject site.

<b>Table 2: Bordering Site Information</b>			
<i>Direction</i>	<i>Existing Use</i>	<i>General Plan Designation</i>	<i>Zone District</i>
<i>North</i>	Enterprise Rent-A-Car	C – Commercial	C2 – Heavy Commercial
<i>East</i>	Perez Recycling	C – Commercial	C2 – Heavy Commercial
<i>South</i>	At Auto Service	C – Commercial	C2 – Heavy Commercial
<i>West</i>	Multi-family Residential Apartments	HD – High Density	C2 – Heavy Commercial

#### **ANALYSIS:**

##### *Site and Entitlement History:*

The following table provides a synopsis of previous entitlements relative to the site and their status.

<b>Table 3: Entitlement History</b>		
<i>Permit #</i>	<i>Project</i>	<i>Status</i>
CUP 1986-10	La Taqueria	Inactive
CUP 2013-15, SPR 2013-17	Squeeze Inn Restaurant	Inactive
CUP 2015-31, SPR 2015-34	Los Girasoles Restauranté <i>Note: Applicant applied and was granted a Type 41 alcohol license on January 12, 2017 with an expiration date of December 31, 2021. No renewal was initiated, and the license lapsed.</i>	Active
CUP 2015-31 MOD, SPR 2015-34 MOD	Los Girasoles Restauranté – Outdoor Alcohol Consumption & Perimeter Fencing	Withdrawn

##### *Alcohol Beverage Control License Type 47*

The California Department of Alcoholic Beverage Control (ABC) administers and issues licenses that allow establishments to serve alcohol. The applicant proposes to modify CUP 2015-31 to allow for the issuance of a Type 47 alcohol license. This change would authorize the on-site sale and consumption of beer, wine, and distilled spirits (e.g., liquor and mixed drinks). Applicant must operate and maintain the licensed



premises as a bona fide eating place with suitable kitchen facilities and must make actual and substantial sales of meals for consumption on the premises.

#### Public Convenience or Necessity for the Issuance of Alcohol Licenses

Historically, the Police Department (PD) has opposed any request for the issuance of an alcohol license in Census Tract 8, which is the City's Downtown District. The contention behind the opposition is that Census Tract 8 has an overconcentration of alcohol licenses that has caused a public nuisance to the City's welfare and safety in that area. Currently, there are 20 active on-site licenses and 14 active off-site licenses within Census Tract 8. Per the Department of Alcohol and Beverage Control (ABC) policy, there should only be six (6) on-site licenses and six (6) off-site licenses within any given census tract. The City and the Department of ABC can under public convenience or necessity deny the issuance of an ABC license should they find an overconcentration within any census tract.

This matter was brought to City Council in an administrative report during the April 20, 2011, Council hearing with request from staff for direction regarding businesses who wish to obtain an ABC license in an overconcentrated census tract. The Council came to a unanimous vote that provided staff with direction to review each conditional use permit for alcohol sales on a case-by-case basis and weigh each application on its own merits. In the case for CUP 2015-31 MOD 2, PD has stated that the request, as proposed, does not raise any serious concerns that would merit a denial. They have also stated that they do not receive any calls or complains about this business that would exacerbate any existing or future public nuisances should CUP 2015-31 MOD 2 be approved. Additionally, staff has attached appropriate conditions that prohibits operations after 12:00 AM, limits them to a restaurant use only, and prohibits off-site alcohol sales. Allowance to operate as a bar, club, liquor store, or similar use is strictly prohibited.

#### Conditional Use Permit

Madera Municipal Code (MMC) § 10 3.405 requires a use permit for all establishments that wish to serve alcohol. In 2015, Los Girasoles Restauranté applied and was approved for a conditional use permit (CUP 2015-31), along with a site plan review (SPR 2015-34), to allow for the issuance of a Type 41 alcohol license to authorize the on-site sale and consumption of beer and wine only. Any proposed changes related to the alcohol services approved under CUP 2015-31 requires an amendment to the use permit. The applicant is proposing an expansion to their current alcohol services to include distilled spirits (e.g., liquor and mixed drink). CUP 2015-31 MOD 2 would authorize this expansion, as well as allow for alcohol consumption within the enclosed outdoor dining area.

#### Site Layout

There are no interior or exterior structural changes proposed at this time. The last major site improvements done were approved under CUP 2015-31 and SPR 2015-34 with the enclosure of the outdoor dining patio, minor landscaping changes, and off-site and on-site improvements. The subject site previously housed a restaurant approved under CUP 2013-15 and SPR 2013-17 and has proven to be able to operate in a manner that is not detrimental to the welfare and well-being of the surrounding uses and the City at large. With no building expansions being proposed at this time, staff has determined that a modification of SPR 2015-34 is not required.



### Parking

MMC § 10 3.405 (Parking Spaces Required) requires dine-in restaurants to provide one parking space for each three seats of fixed nature. With a fixed 50 seats, the proposed site requires a minimum of 17 parking stalls. As proposed, the site currently provides 17 parking stalls, one of which is ADA van accessible.

### Operations

Presently, food preparation and dining services are manageable with only three employees with a potential of an additional 10 employees. Days and hours of operation are listed from Monday to Sunday from 12:00 PM to 12:00 AM. The applicant anticipates a total of 10 customers per day with a maximum of 50 customers per day.

The restaurant is located on a commercially zoned parcel that provides adequate parking spaces to meet MMC § 10 3.1202 (Parking Spaces Required) and requirements set forth by the Americans with Disabilities Act (ADA). The existing building previously housed a restaurant with alcohol sales and has proven to be able to operate in a manner that is not detrimental to the welfare and well-being of the surrounding uses and the City at large. Staff has also attached conditions that limit operations to a restaurant use only and prohibits a club, bar, liquor store, or similar uses to operate at this location.

### General Plan Conformance

CUP 2015-31 MOD 2 supports goals and policies established in the General Plan. In allowing this establishment to expand their business to include distilled spirits, this entitlement supports Vision Madera 2025 and encourages, “economic opportunities and underscores the need to attract commercial and retail businesses and to encourage residents to buy locally” (General Plan, p. 1-2). CUP 2015-31 MOD 2 also supports goals and policies outlined in the General Plan’s Sustainability Element:

- Goal SUS-1 – Establish and maintain a diverse and sustainable local economy
- Policy SUS-11 – The City seeks to allow abundant commercial opportunities and the development of a strong local workforce. The City recognizes the interrelated nature of economic development among the various cultural, social, and economic segments of the community, and will work with local entrepreneurs to develop cooperative programs that increase and enhance opportunities for business growth within the City.

### **ENVIRONMENTAL REVIEW:**

Staff has performed a preliminary environmental assessment and has determined that the project is categorically exempt under Section 15301 of the State CEQA Guidelines because the project will occupy an existing building on an existing parcel with existing services and utilities, and no modifications or expansion to the structure are to occur. Moreover, no expansion of existing or former commercial uses will occur. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.

### **COMMISSION ACTION:**

The Commission will be acting on CUP 2015-30 MOD 2 and the related CEQA Categorical Exemption. Staff Recommends that the Commission:



Move to adopt a resolution of the Planning Commission adopting a Finding of Categorical Exemption from CEQA pursuant to CEQA Guidelines Section 15301 for the project and approving Conditional Use Permit 2015-31 MOD 2 based on and subject to the findings and conditions of approval.

**ALTERNATIVES:**

As an alternative, the Commission may elect to:

1. Move to continue the public hearing to the August 9, 2022 Planning Commission hearing with direction to staff to return with an updated staff report, resolution and/or appropriate findings modifying the project and/or conditions of approval for the following reasons: (Specify – Planning Commission should articulate reasons for modifications).
2. Move to continue the public hearing to August 9, 2022 Planning Commission hearing with direction to staff to return within updated resolution with appropriate findings for denial for the following reasons (Specify – Planning Commission should articulate reasons for denial).

**ATTACHMENTS:**

1. Aerial map
2. Site plan
3. Resolution  
Exhibit “A” Conditions of Approval

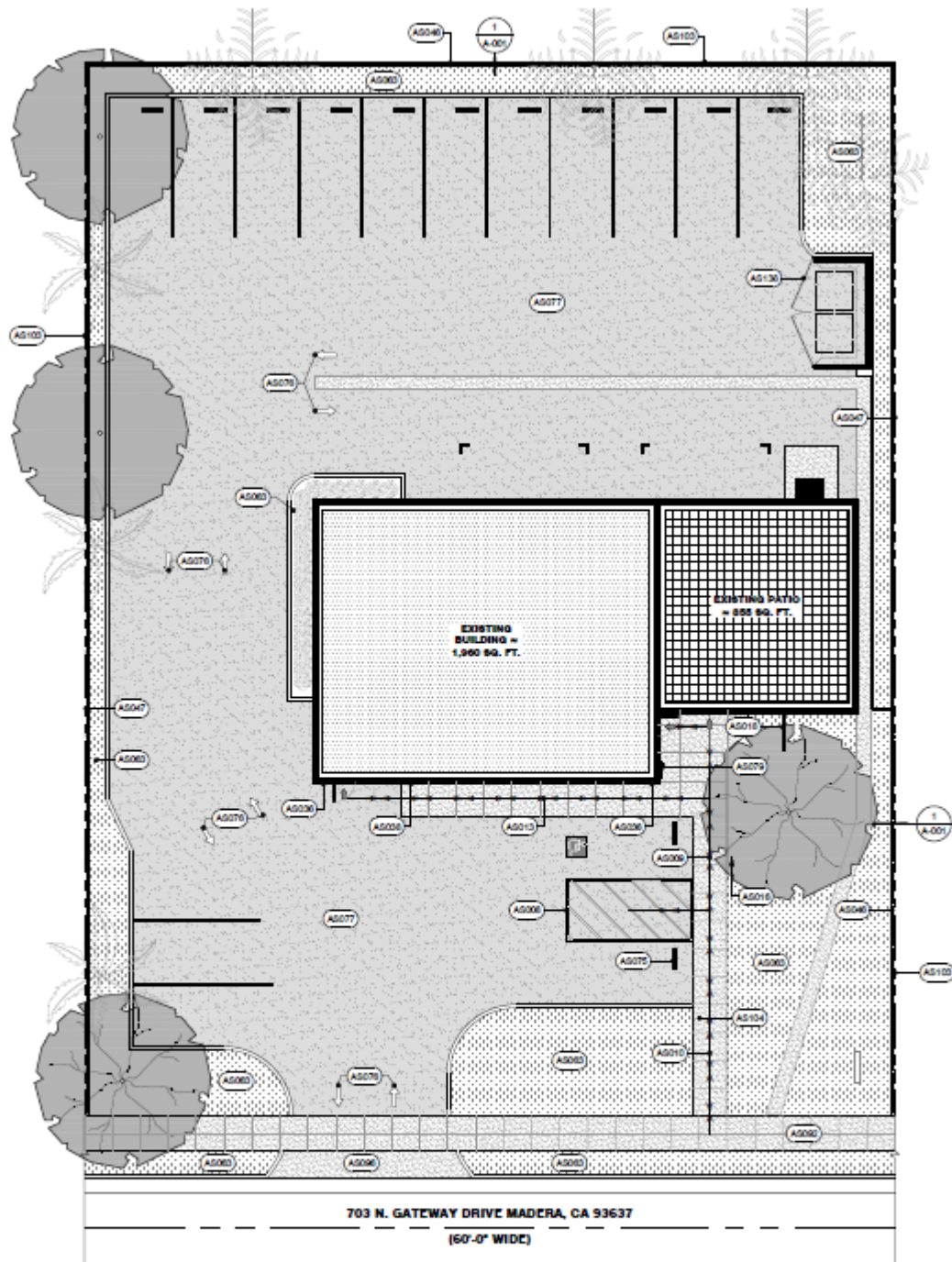


Attachment 1: Aerial Map





## Attachment 2 – Site Plan



**SITE PLAN**  
SCALE: 1"=10'



### **Attachment 3: Planning Commission Resolution**



**RESOLUTION NO. 1922**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA  
ADOPTING A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES  
SECTION 15301 (EXISTING FACILITIES) AND APPROVING CONDITIONAL USE  
PERMIT MODIFICATION (2015-31 MOD 2) (LOS GIRASOLES RESTARUANTE, 703  
NORTH GATEWAY DRIVE)**

**WHEREAS**, this proposal is a continued item from the June 14, 2022 Planning Commission hearing at the request of staff; and

**WHEREAS**, Leovigido Rueda Inc. ("Owner") owns Los Girasoles Restauranté located at 703 North Gateway Drive in Madera, California ("site"); and

**WHEREAS**, Los Girasoles Restauranté is an existing restaurant providing in-door and out-door dining services; and

**WHEREAS**, Los Girasoles Restauranté was previously granted Conditional Use Permit (CUP) 2015-31 that allowed for the issuance of a Type 41 alcohol license.

**WHEREAS**, Familia Rueda Inc. ("Applicant") proposes a modification to CUP 2015-31 to allow for the issuance of a Type 47 alcohol license; and

**WHEREAS**, a Type 47 alcohol license allows for the on-site sale and consumption of beer, wine, and distilled spirits; and

**WHEREAS**, there are 20 active on-site and 14 active off-site licenses within Census Tract 8; and

**WHEREAS**, it is the Department of Alcohol and Beverage Control's policy to only allow six (6) on-site and six (6) off-site licenses; and

**WHEREAS**, the Los Girasoles Restauranté is located within Census Tract 8 where there is an existing overconcentration of active on-site and active off-site alcohol licenses; and

**WHEREAS**, the City's Police Department (PD) has historically opposed the issuance of any additional alcohol licenses within Census Tract 8 due to a high volume of service calls in the area that creates a public nuisance to the City's welfare and safety; and

**WHEREAS**, this matter was brought to City Council in an administrative report during the April 20, 2011 Council hearing with request from staff for direction on future alcohol license requests in overconcentrated census tracts; and

**WHEREAS**, Council unanimously voted to direct staff to review future conditional use permits for alcohol sales on a case-by-case basis and weigh each request on its own merit; and

**WHEREAS**, PD has weighed in on CUP 2015-30 MOD 2 and has decided that this request, as proposed, will not be detrimental to the area and the City's welfare and safety at large; and

**WHEREAS**, the site is an existing building planned for and surrounded by commercial uses; and

**WHEREAS**, on-site alcohol sales and consumption shall be limited to beer, wine, and distilled spirits; and



**WHEREAS**, on-site alcohol sales and consumption shall be limited to the restaurant's main indoor dining area and to the restaurant's 855 square foot enclosed outdoor dining patio; and

**WHEREAS**, in response to concerns related to the surrounding welfare and safety, alcohol sales for off-site consumption are strictly prohibited; and

**WHEREAS**, the site provides sufficient parking space to support the proposed use; and

**WHEREAS**, the current site layout has been determined to be able to operate in a manner that is not detrimental to the welfare and well-being of the surrounding uses and the City at large; and

**WHEREAS**, a Categorical Exemption under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities) has been prepared for the proposed project in accordance with CEQA, Public Resources Code Section 21000 et. Seq.; and

**WHEREAS**, under the City's Municipal Code, the Planning Commission is authorized to review and approve conditional use permits and environmental assessments for associated projects on behalf of the City; and

**WHEREAS**, the City provided notice of the Planning Commission hearing as required by law; and

**WHEREAS**, the Planning Commission received and reviewed CUP 2015-31 MOD 2 at a duly noticed meeting on July 12, 2022; and

**WHEREAS**, a public hearing was held, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Planning Commission; and

**WHEREAS**, the Planning Commission now desires to adopt a Categorical Exemption for the project pursuant to CEQA and approve CUP 2015-31 MOD 2.

**NOW THEREFORE**, be it resolved by the Planning Commission of the City of Madera as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein.
2. CEQA Recommendation: A preliminary environmental assessment was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA). The Planning Commission finds and determines that the project is exempt under Section 15301 (Existing Facilities) of the State CEQA Guidelines because the project will occupy an existing building on an existing lot with existing services and utilities, and any modifications to the structure will only be minor interior changes involving negligible or no relative expansion of use. The proposed project is consistent with applicable general plan designations and policies and is served by all required services and utilities. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.
3. Findings to Approve CUP 2015-31 MOD 2: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support the approval of CUP 2021-15 MOD 2, as conditioned. The Planning Commission further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:

*Finding a: The proposal is consistent with the General Plan and Zoning Ordinance.*



The General Plan designates the subject site for commercial uses and is consistent with its zoning district of C2 – Heavy Commercial. CUP 2015-31 MOD 2 is found to be consistent with all regulations set forth by MMC § 10 3.405 (Uses).

*Finding b: The proposed use will be compatible with the surrounding properties.*

The project site is suited for commercial uses. The proposal is for an existing building zoned heavy commercial and is surrounded by like uses to the north, east, west, and south of the property. As conditioned, the use will be compatible with surrounding properties and is consistent with applicable requirements regulating such use.

*Finding c: The establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the city.*

The proposed use will not result in a detriment to the health, safety, peace, morals, comfort, or general welfare of persons or property in the surrounding area. The surrounding uses include auto services and a recycling center, all of which are more intense uses than a restaurant use with alcohol sales. The impacts of the issuance of a Type 47 alcohol license are minimal to the impacts of the surrounding uses. The Police Department has also weighed in on this proposal and has confirmed that the issuance of a Type 47 alcohol license at this location will not exacerbate any existing or future public nuisances.

4. Approval of CUP 2015-31 MOD 2: Given that all findings can be made, the Planning Commission hereby approves CUP 2015-31 MOD 2 as conditioned and set forth in the Conditions of Approval attached as Attachment A.
5. Effective Date: This resolution is effective immediately.

\* \* \* \* \*



Passed and adopted by the Planning Commission of the City of Madera this 12<sup>th</sup> day of July 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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Robert Gran Jr.  
Planning Commission Chairperson

Attest:

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Gary Conte, AICP  
Planning Manager

Exhibit A: Conditions of Approval for CUP 2015-31 MOD 2



**EXHIBIT "A"**  
**CUP 2015-31 MOD 2 LOS GIRASOLES RESTAURANTE**  
**CONDITIONS OF APPROVAL July 12, 2022**

**Notice to Applicant**

In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedications, reservations, or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within ninety (90) calendar days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

**IMPORTANT: PLEASE READ CAREFULLY**

This project is subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies; those determined through site plan review, and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community; and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Approval of this permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development.

Approval of this permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this permit, the zoning ordinance, and all City standards and specifications. This permit is granted, and the conditions imposed, based upon the application submittal provided by the applicant, including any operational statement. The application is material to the issuance of this permit. Unless the conditions of approval specifically require operation inconsistent with the application, a new or revised permit is required if the operation of this establishment changes or becomes inconsistent with the application. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the permit or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the review process or for additions or alterations to any construction or building plans not specifically submitted and reviewed and approved pursuant to this permit or subsequent amendments or revisions. These conditions are conditions imposed solely upon the permit as delineated herein and are not conditions imposed on the City or any third party. Likewise, imposition of conditions to ensure compliance with federal, state, or local laws and regulations does not preclude any other type of compliance enforcement.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings can be made.



All discretionary conditions of approval for CUP 2015-31 MOD 2 will ultimately be deemed mandatory unless appealed by the applicant to City Council within fifteen (15) days after the decision of the Planning Commission. In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval, you may do so by filing a written appeal with the City Clerk. The appeal shall state the grounds for the appeal and wherein the Commission failed to conform to the requirements of the zoning ordinance. This should include identification of the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld.

These conditions are applicable to any person or entity making use of this permit, and references to "developer" or "applicant" herein also include any applicant, property owner, owner, successors-in-interest, lessee, operator, or any other person or entity making use of this permit. Furthermore, "project site" refers to the portions of 703 N. Gateway Drive that are being developed under CUP 2015-31 MOD 2. The following conditions apply only to these portions of the subject site, unless specifically noted otherwise.

### **General**

1. Approval of this conditional use permit modification shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or the designer to disclose and delineate all facts and information relating to the subject property and the proposed development.
2. Approval of this conditional use permit modification shall become null and void if the applicant, the operators, and/or successor is found to be in violation of all City and State regulation regulating alcohol licenses.
3. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specifically noted in the conditions or mandated by statutes.
4. Approval of this project is for the benefit of the applicant. The submittal of applications by the applicant for this project was a voluntary act on the part of the applicant not required by the City. Therefore, as a condition of approval of this project, the applicant agrees to defend, indemnify, and hold harmless the City of Madera and its agents, officers, consultants, independent contractors, and employees ("City") from any and all claims, actions, or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the project, including any challenges to associated environmental review, and for any and all costs, attorneys' fees, and damages arising therefrom (collectively "claim").

The City shall promptly notify the applicant of any claim and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Nothing in this condition shall obligate the City to defend any claim and the City shall not be required to pay or perform any settlement arising from any such claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any claim, and if the City does decide to independently defend a claim,



the applicant shall be responsible for City's attorneys' fees, expenses of litigation, and costs for that independent defense, including the costs of preparing any required administrative record. Should the City decide to independently defend any claim, the applicant shall not be required to pay or perform any settlement arising from any such claim unless the applicant approves the settlement.

#### **Planning Department**

5. Hours of business operation shall be limited as follows:
  - a. Monday through Sunday from 12:00 PM – 12:00 AM.
6. No permanent or temporary signage shall be placed within the outdoor patio dining area or affixed onto the outdoor dining patio enclosure.
7. Existing non-conforming signage on the site shall be brought up to current sign regulations and maintained at all times. All new signage is required to have an approved sign permit issued by the Planning Department pursuant to Madera Municipal Code 10-6.01.
8. Sale of beer, wine, and distilled spirits for on-site consumption is conditioned upon issuance of Type 47 being finalized by the Department of Alcoholic Beverage Control. The applicant, its operators, and successors shall comply with all applicable City, State, and Federal requirements and standards.
9. In response to concerns relating to the surrounding public welfare and safety, CUP 2015-31 MOD 2 strictly prohibits alcohol sales for off-site consumption.
10. Any action taken by the owner, applicant, its operators and/or successors found to be in violation of any of the provisions set forth by the Alcohol Beverage Control License Type 47 shall render CUP 2015-31 MOD 2 revocable. The use must comply with any license requirements for the subject property by the Department of Alcohol Beverage Control at all times, including any findings of public convenience and necessity.
11. Alcohol consumption is limited to the restaurant's main indoor dining area and the 855 square foot enclosed outdoor dining area consistent with the applicable laws of the State of California Department of Alcoholic Beverage Control.
12. There shall be no allowance for alcohol beverages to be stored or displayed in areas accessible to the public. All alcohol beverages shall be accessible to employees only.
13. CUP 2015-31 MOD 2 allows for the sale of beer, wine, and distilled spirits only. Changes or expansion in the type, sale and/or consumption of alcohol shall require an amendment to CUP 2015-31 MOD 2.
14. Alcohol shall only be sold and consumed during official business hours of operation of the restaurant. Business hours are limited to Monday through Sunday, 12:00 PM to 12:00 AM.
15. CUP 2015-31 MOD 2 only allows for the sale of alcohol in conjunction with a restaurant use. Allowance for the operation of a bar, club, liquor store, or similar use is strictly prohibited.



16. CUP 2015-31 MOD 2 only allows for alcohol to be sold and consumed during the hours the kitchen of the restaurant is open.

## **Engineering Department**

### **GENERAL**

17. Nuisance onsite lighting shall be redirected as requested by City Engineer within 48 hours of notification.
18. Improvement plans, if required, shall be signed and sealed by an engineer and submitted to the Engineering Division in accordance with the Civil Improvements Submittal Checklist.
19. Improvements within the City right-of-way require an Encroachment Permit from the Engineering Division.
20. To satisfy conditions for previously set for SPR 2013-17 and CUP 2013-15, an Irrevocable Offer of Dedication shall be made to dedicate a ten (10) foot right of way along the entire project frontage on Gateway Drive to provide fifty (50) feet of right of way east of the center line at such time as Gateway is widened for two travel lanes in each direction. While not shown in the current Capital Improvement Program, it is anticipated it will be scheduled for construction in the next six to eight years.

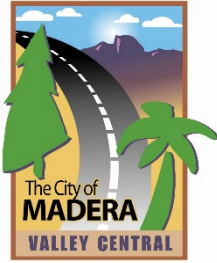
### **SEWER**

21. New or existing sewer service connection(s) shall be constructed or upgraded to current City standards. Existing cross lot connections, if any, shall be severed.

### **WATER**

22. New or existing water service connection(s), including landscape areas, shall be constructed or upgraded to current City standards including Automatic Meter Reading (AMR) water meter installed within City right-of-way and backflow prevention device installed within private property. Existing cross lot connections shall be severed.





## REPORT TO PLANNING COMMISSION

**Prepared by:**

Robert Smith, Contract Senior Planner

**Meeting of:** July 12, 2022

**Agenda Item:** 2

**SUBJECT:**

Crown Tozer II Precise Plan (PPL 2021-05)

**RECOMMENDATION:**

Conduct a public hearing and adopt a resolution approving Precise Plan PPL 2021-05 subject to the findings and conditions of approval.

**PROPOSAL:**

An application for Precise Plan (PPL 2021-05) for a 63-lot single-family residential subdivision (Crown Tozer II) on approximately 11.37-acres at APN 008-180-009.

Table 1: Project Overview	
<i>Project Number:</i>	Precise Plan (PPL) 2021-05
<i>Applicant/Owner:</i>	Joseph Crown
<i>Location:</i>	Existing vacant parcel northeast of Martin Luther King Middle School, accessed through the approved Crown Tozer I subdivision.
<i>Project Area:</i>	11.37-acres, for a 63-lot subdivision
<i>Plan Land Use:</i>	LD – Low Density Residential
<i>Zoning District:</i>	PD 4,500 (Planned Development, one unit per 4,500 square feet of site area).
<i>Site Characteristics</i>	The subject property contains a graded vacant lot with no existing structures or formal site access on-site.

**SUMMARY:**

The applicant, Joseph Crown, has previously received City approval on this site for a Tentative Subdivision Map (TSM 2020-01) to facilitate the development of the 63-lot residential subdivision (Crown Tozer II). The Planning Commission approved TSM 2021-01 on February 9, 2021. The applicant proposes to create a precise plan for the development of residential buildings on these lots. The Planning Commission adopted a Negative Declaration as part of the proposed Tentative Subdivision Map project.

The Final map for this property is in the process of being recorded.



## SURROUNDING LAND USES:

Table 1. Existing Uses, General Plan Designations, Zone Districts of Surrounding Properties			
Direction from Project site	Existing Use	General Plan Designation	Zone District
North	Vacant	MD – Medium Density Residential P&SP – Other Public and Semi-Public Uses	PD-4500 – Planned Development (One unit for each 4,500 sf of site area) PF – Public Facility
East	Residential	LD – Low Density Residential	PD-4500 – Planned Development (One unit for each 4,500 sf of site area)
South	Educational	MD – Medium Density Residential	PF – Public Facility
West	Residential and Educational	HD – High Density Residential LD – Low Density Residential	R3 – High Density Residential R1 – Low Density Residential

Surrounding land uses include vacant open land to the north. To the west is a residential subdivision and the Martin Luther King Middle School. A stormwater detention basin will be built as part of the requirements of both Crown Tozer projects to the southeast. To the south is the Madera Technical Exploration Center, and education facility for eighth graders, and to the east is the residential subdivision project Crown Tozer I which was approved for a 134-lot residential subdivision by Planning Commission on June 14, 2022.

## ANALYSIS:

Precise plans address the relationship to neighboring properties, project building, landscape design, aesthetics, fencing, walls, public infrastructure, services, circulation, parking, and open space. No construction, grading or new development activity may commence in any P-D Zone prior to the approval of a precise plan. Precise plans are subject to the approval of the Planning Commission, and in the case of residential subdivision projects, remain valid so long as the approved tentative map remains valid. Once the subdivision is recorded, the precise plan remains valid until such time that it is amended or repealed.

### Site Plans

The applicant is requesting approval of four residential model types and associated floor plans for construction on the 63-lot single-family subdivision. Floor areas will range between 1300 square feet (sf) and 1777 sf, with additional floor area allocated for two-car garages (418 – 456 sf), and three-car garages (690 – 728 sf). Porch's will add between 59-77 sf to the site plan coverage. With a proposed maximum lot coverage of 50%. The minimum lot size required to accommodate the maximum site plan would be 5,164 sf (see applicant Matrix). The main limitation on the floor plan type available on each lot is the width of the proposed building models in relation to the width of the lot.

Table 2: Floor plan total SF				
Model	Floor Area (sf)	Bed/Bath	Garage	Buildable Lots
1300 (min)	1777	3 bed/2 bath	2 spaces	100%
1300 (max)	2049	3 bed/2 bath	3 spaces	19%
1400 (min)	1874	3 bed/2 bath	2 spaces	97%
1400 (max)	2072	3 bed/2 bath	3 spaces	97%



1616 (min)	2153	3 bed/2 bath	2 spaces	100%
1616 (max)	2425	3 bed/2 bath	3 spaces	20%
1777 (min)	2310	4 bed/2 bath	2 spaces	100%
1777 (max)	2582	4 bed/2 bath	3 spaces	16%

### Development Standards

Precise plans are utilized within the P-D (Planned Development) Zoning District to establish the proposed project's specific development and improvement standards, consistent with sections 10-3-4.101 through 10-3-107 of the Madera Municipal Code (MMC). Sections 10-3.501 through 10-3.513 of the MMC establishes standards specific to the development within the R (Residential) zoning districts. Additional development standards identified in the MMC, such as parking requirements also apply. The following table (Table 3) sets out the development standards for this proposed subdivision.

Table 3: Development Standard Comparison			
Development Standard	Typical R zone Standard	Proposed Standard	Deviation
Minimum Site Area	4500 sf (interior) 5000 (exterior)	4500 sf	-
Minimum Dimensions	80' deep 50' width (interior) 60' width (exterior)	80' 40' (interior) 55' (interior)	- 10' (interior) 5' (interior)
Front yard setback	15' living areas 12' porch 20' garages	15' living space 12' porch 20' garages	- - -
Side yard	5' (interior) 10' (exterior) 20' (exterior facing garage)	5' (interior) 10' (exterior) 20' (exterior facing garage)	- - -
Rear Yard	15' (with windows, 1 <sup>st</sup> floor) 10' (no rear facing windows) 10' Patio Cover, Balcony, Deck Accessory Structures by MMC	15'  No standard  10' Patio Cover, Balcony, Deck Accessory Structures by MMC	- - - - -
Parking	1 covered stall 1 uncovered stall	1 covered stall and 1 uncovered stall	- -
Minimum Open Space	750 sf	750 sf	-
Street Tree	City Street Tree standards	1 street tree per lot.	-
Minimum front landscaping	450 sf	450sf	-

The application is proposing reductions of typical development standards for minimum lot width dimension. The applicant is requesting a reduction to the exterior and interior (corner) lot width by five (5') feet and ten (10') feet respectively. When the site was rezoned to PD 4500, the intention was the density of development would be higher due to the lower required overall lot size from the R-1 standard. The reduction in required width for these smaller lots is expected and acceptable. The lot width would typically be 50', with the 45' minimum being the reduced width proposed, to accommodate a small



number of reduced width lots. In this instance the limited number of lots below the required 50' and overall smaller lot size all provides justification for this deviation.

#### Architecture

Policy CD-33 states, "The exterior of residential buildings shall be varied and articulated to provide visual interest to the streetscape." Each floor plan type comes with four elevational options (Attachment 5). The proposed models are set out in Table 2. The model types are offered as 1,300, 1,400, 1616, and 1777. All models include a two-car garage, front porch and rear patio. Roof material, stucco color and window style and treatment are the main variation between model types, the physical form of the elevations being largely the same which is acceptable in this site-specific context.

#### Side Yard Elevations

In addition to providing a varied primary elevation, the General Plan requires exterior side and or rear elevations visible from a right of way to provide architectural treatments consistent with the front (primary) elevation. A condition of approval is included to ensure compliance.

#### Varied setbacks

The design document prepared by the applicant identifies the requirement to create variation in the front elevations with a variation from the required front setback to twenty (25') feet with no two adjoining lots having not less than two feet variation between the front setbacks. That variation will be at least five feet over three lots. All garages will have a minimum twenty (20') feet setback. The variation will apply to the entire front elevation of the property, with each elevation element subject to its own setback requirement.

#### Garage subordinate design

All model types exhibit a subordinate garage design that ensures the prominent elevation is that of the living space rather than the garage. Varying depths of garage, porch and living space provide character to the neighborhood and architectural articulation of the front elevations.

#### Landscape

Landscape plans are required as an element of the precise plan. Attention to detail and aesthetic design is necessary to satisfy Goal 4 of the General Plan Community Design Element. Goal 4 requires "[A] attractive streetscapes in all areas of Madera." Staff has required landscape and irrigation plans through the conditions of approval, in addition to the requirement for each lot to contain at least one street tree within the front yard.

#### Open Space

Policy LU-22 states, "Single-family developments need to provide functional outdoor recreational space." Through conditions of approval for the tentative subdivision map, the Project will be required to pay the necessary park impact fees, as well as parkland acquisition fees to provide for the park and recreational needs of residents, thereby satisfying Policy LU-22. The park impact and parkland acquisition fees collected will be expended solely for the acquisition, development, and/or rehabilitation of parkland or improvements. Individual properties will be required to provide open space for each dwelling at 750 sf minimum with minimum dimensions of ten (10') feet in any direction.

### **ENVIRONMENTAL REVIEW:**

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study/Negative Declaration (IS/ND) has been prepared, describing the potential environmental impacts of the proposed Project. The City has



assessed the potential environmental impacts of this Project and has determined that they are less than significant. Planning Commission adopted the environmental documents at the meeting on February 9, 2021. The adopted negative declaration is still valid. There have been no changes of circumstances which require subsequent environmental analysis under State CEQA Guidelines Section 15162. Therefore, no further environmental review is required.

**RECOMMENDED ACTION:**

The Commission will be acting on the Precise Plan PPL 2021-05. Staff recommends that the Commission:

1. Move to adopt a resolution of the Planning Commission approving Precise Plan PPL 2021-05, based on and subject to the findings and conditions of approval as contained in the resolution and associated Exhibit A.

The Commission's action is final unless appealed for consideration by the City Council.

**ALTERNATIVES:**

As an alternative, the Commission may elect to:

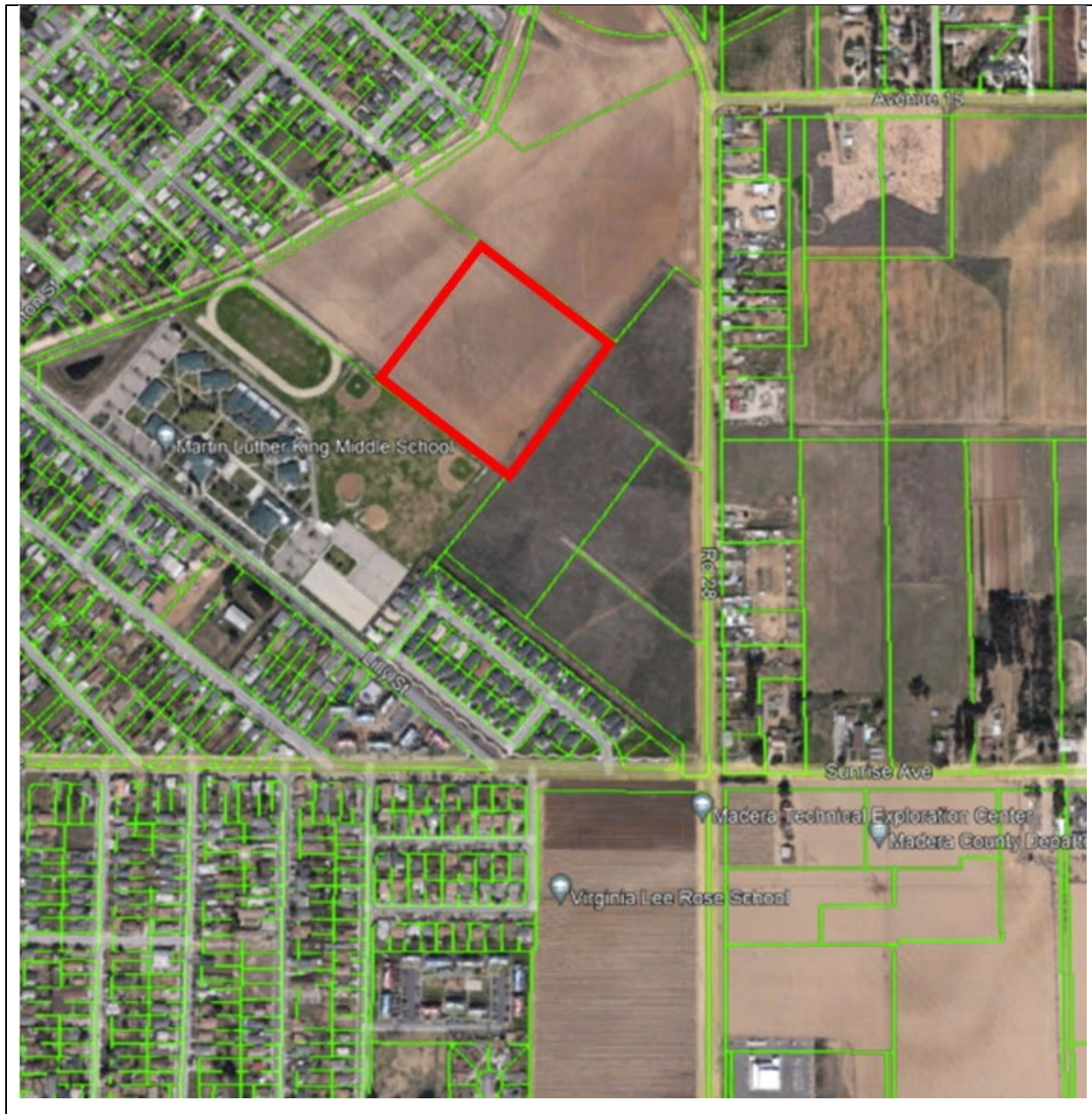
1. Move to continue the application for PPL 2021-05 to the August 9, 2022, Planning Commission hearing with direction to staff to return with an updated resolution with appropriate findings modifying the conditions of approval for the following reasons: (Specify – Planning Commission should articulate reasons for modifications to findings and conditions of approval).
2. Move to continue the application for PPL 2021-05 to the August 9, 2022 Planning Commission hearing with direction to staff with an updated resolution with appropriate findings for denial for the following reasons: (Specify – Planning Commission should articulate reasons for denial).

**ATTACHMENTS:**

1. Vicinity Map
2. Aerial Photo
3. General Plan Land Use Map
4. Zoning Map
5. Model Plans
6. Planning Commission Resolution for PPL 2021-05



## Attachment 1: Vicinity Map



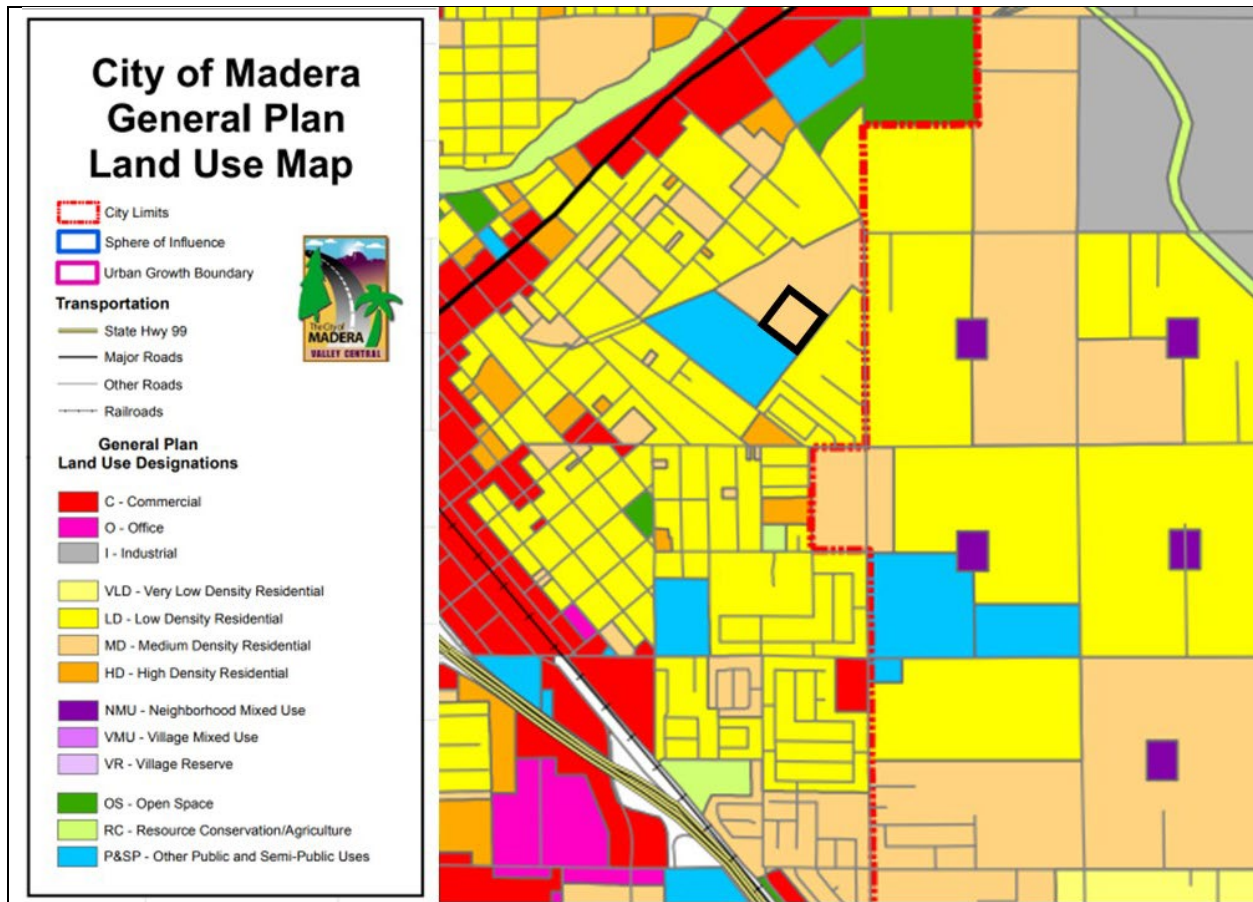


## Attachment 2: Aerial Photograph



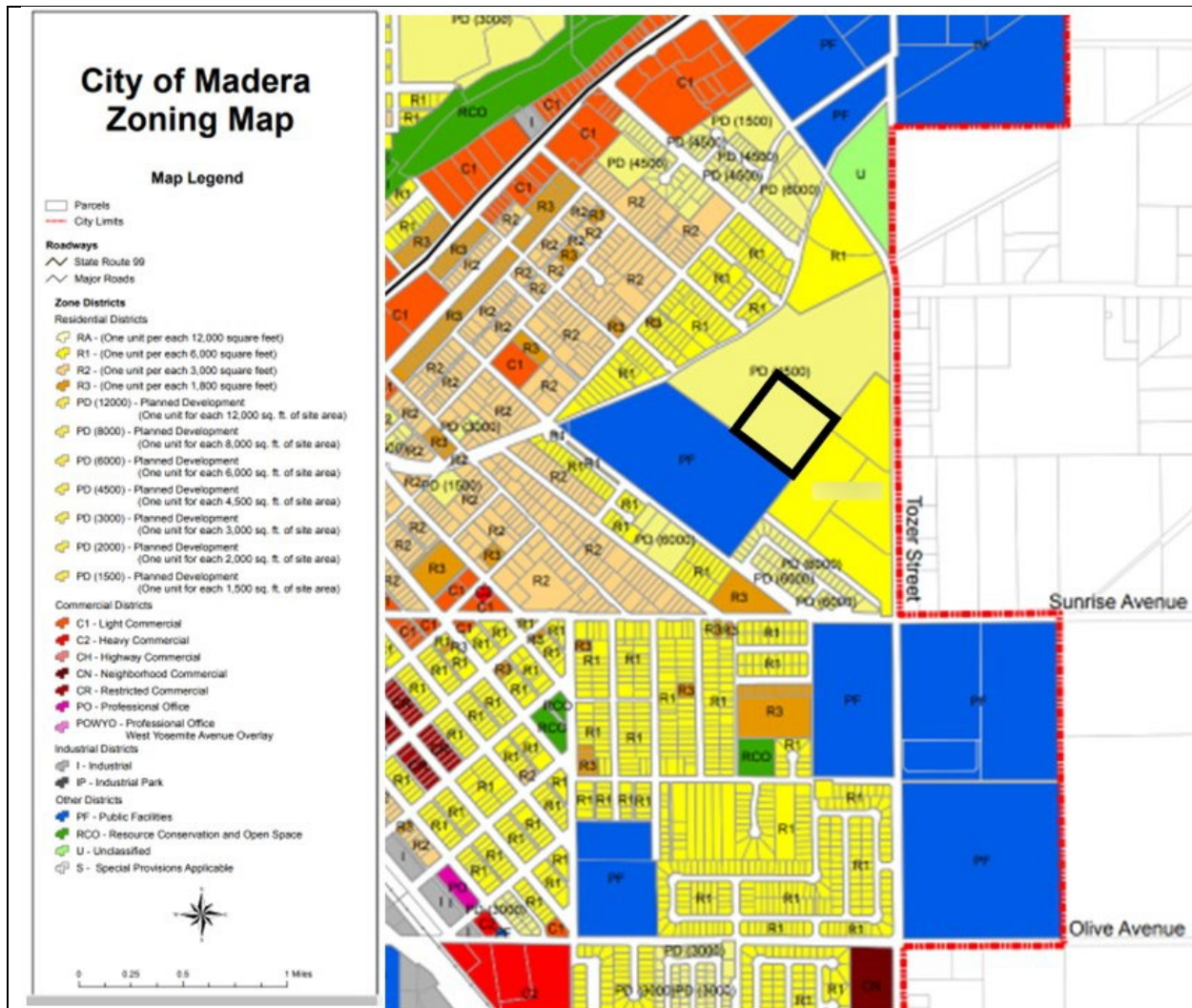


### Attachment 3: General Plan Land Use Map





## Attachment 4: Zoning Map





## **Attachment 5: Model Plans, Colors and Materials**



# Project Description and Design Standards for Tozer II Subdivision

## Plan Models

1. Three models are submitted as part of Tozer II Subdivision. The homes will be constructed upon the 63 lots encompassed within the Subdivision. The home models are as follows:

<b><u>MODEL NAME</u></b>	<b><u>FLOOR AREA</u></b>	<b><u>BED/BATH</u></b>
Urbina	1,300 sq. ft.	3 bed/2 bath
Regatta	1,400 sq. ft.	3 bed/2 bath
Abbey	1,616 sq. ft.	3 bed/2 bath
Sienna	1,777 sq. ft.	4 bed/2 bath

2. Each proposed model will be constructed consistent with either of three elevations, A Gable Roof Lines, B Hip Roof Lines, C Gable Roof Line with Siding Embellishments. Each elevation of each model will have at least five different three-color paint schemes with roof tile variations such as Spanish or flat.

3. All standards for the location and design of buildings (including accessory structures) and fences which are not specified will conform to PD 4500 (Residential) Zone District standards.

4. All driveways and encroachments will conform to City standards regarding setbacks from adjacent property lines, and near intersections. All approaches will conform to City standards.

5. The floor plans of all units will be reversible and driveway approaches on corner lots will be located on the interior side of the property.

6. The appearance of the home is affected by at least three primary features, which are the home model, alternative elevations for each plan, and color. Homes built on side-by-side lots will not repeat more than two of these primary home features. The model floor plans will not be repeated on more than two consecutive lots.

7. The minimums for all lots will be:

Minimum Lot Area: 4,500 sq.ft.

Minimum Corner Lot Area: 5,000 sq.ft.

Maximum Lot Coverage: 50%

Minimum Landscape Area (Front Yard) 450 sq.ft.

Minimum Interior Lot Width: 50ft



Minimum Exterior Lot Width: 60ft

Minimum Lot Depth: 90ft

Maximum Building Height: 35ft

Minimum Curved Frontage: 35ft

Minimum Yard Setbacks: As Follows:

Front Setback – Porch, Balcony, Deck 12ft

Front Setback – Living Space 15ft

Front Setback – Front gate, per Madera Municipal Code Standards

Street Side Setback 10ft

Interior Side Setback 5ft

Rear Setback – Patio Cover, Balcony Deck 10ft

Rear Setback – Living Space 15ft

Accessory structures: Per Madera Municipal Code Section 10-3.513

Required parking spaces: Minimum 1 covered space and 1 uncovered space on driveway.

Minimum usable open space: For each residential unit in a planned residential development there shall be provided a minimum 750 square feet of open space exclusive of drives and off-street parking areas.

8. The front setback will vary from the minimum of twelve feet to a maximum of twenty-five feet, with at least a two-foot variation amongst any 2 adjacent lots, and a five-foot variation over any 3 consecutive lots, regardless of home model. Garages will be setback a minimum of twenty feet.

9. Any variation to the development standards proposed will be granted with approval by the Planning Manager when deemed necessary.

### **Building Colors, Materials and Lighting Considerations**

11. The color and materials presentation board will be approved by the Planning Manager and will be included in the precise plan approval.

12. The construction of buildings approved as a component of the precise plan will be consistent with the approved color and materials presentation board, as reviewed and approved by the Planning Department. Any alteration will require, at a minimum, approval by the Planning Manager.

13. All lots where side and/or rear exterior elevations of residential buildings are visible from any street or public rights-of-way will incorporate architectural treatments in keeping with the front



(primary) elevation. Such architectural treatments shall consist of installing window trim stucco molding and window grids to match the front of the home.

14. All exterior lighting will be down-shielded and directed in such a way as to not interfere with the driving safety of vehicular traffic. Exposed bulbs will not be permitted.

15. The specifications and types of exterior lighting fixtures to be installed in the subdivision area will be submitted to and approved by the Planning Department prior to issuance of any building permit(s).

#### **Construction Trailer and Sales Center**

16. We will apply for a Zoning Administrator Permit for the development of any temporary construction trailer, materials storage yard and/or model home sales center.

#### **Fences and Walls**

17. Along all side and rear property lines, six-foot wood fencing will be required for all single-family homes. Within the required front yard setback for main living areas, a maximum fence height of 3'-6" will be allowed. Any retaining walls greater than eighteen inches in height will be split-block masonry. Residential fencing will have a gate that will allow for easy access by an automated solid waste container provided by the City. The width of the gate will be a minimum of 36 inches.

18. Street side yard fencing will be set back no less than five feet.

#### **HVAC and PG&E Utility Placement Considerations/Screening Requirements**

19. Heating ventilation and air-conditioning (HVAC) units will be ground-mounted. All ground-mounted HVAC equipment will be located in the interior side or rear yards behind six-foot tall fencing.

20. No fireplaces will be used in Iveywood I Subdivision.

#### **Landscaping and Open Space**

21. A detailed landscaping and irrigation plan will be prepared by a licensed landscape architect, stamped and submitted as part of the submittals for a building permit plan check. Each home model will have its own landscape and irrigation plan. Landscape and irrigation plans will be approved by the Planning Department prior to issuance of building permits. Standard and Typical landscape and irrigation plans will be designed for front yards for the entire subdivision as a whole. Installation will



be completed in conjunction with occupancy of the individual homes. At least one (1) tree of a minimum 15 gallon or 24" box must be permanently in place within each residential lot front yard. Any change to the position or species of tree shall be reviewed for approval by the Planning Manager. The plans will:

- Demonstrate compliance with the State of California's Model Water Efficient Landscape Ordinance (MWELO);
- Landscaped areas will be provided with permanent automatic irrigation systems;
- At least one City-approved Street tree will be planted in each front yard. Trees will be carefully selected and located to shade the buildings during the summer months. This will be implemented on southern and western exposures. Deciduous trees will be preferentially considered since they provide shade in the summer and allow the sun to reach the buildings during winter months;
- A detailed planting list for landscaping, with the number, size, spacing (where applicable) and specie of all plantings will be included as part of the approved landscaping plan prepared by a licensed landscape architect.

22. The property owner(s) will maintain all landscaping in a healthy and well-manicured appearance to achieve and maintain the landscaping design that will be 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 residential standards, and replacing dead or unhealthy vegetation.



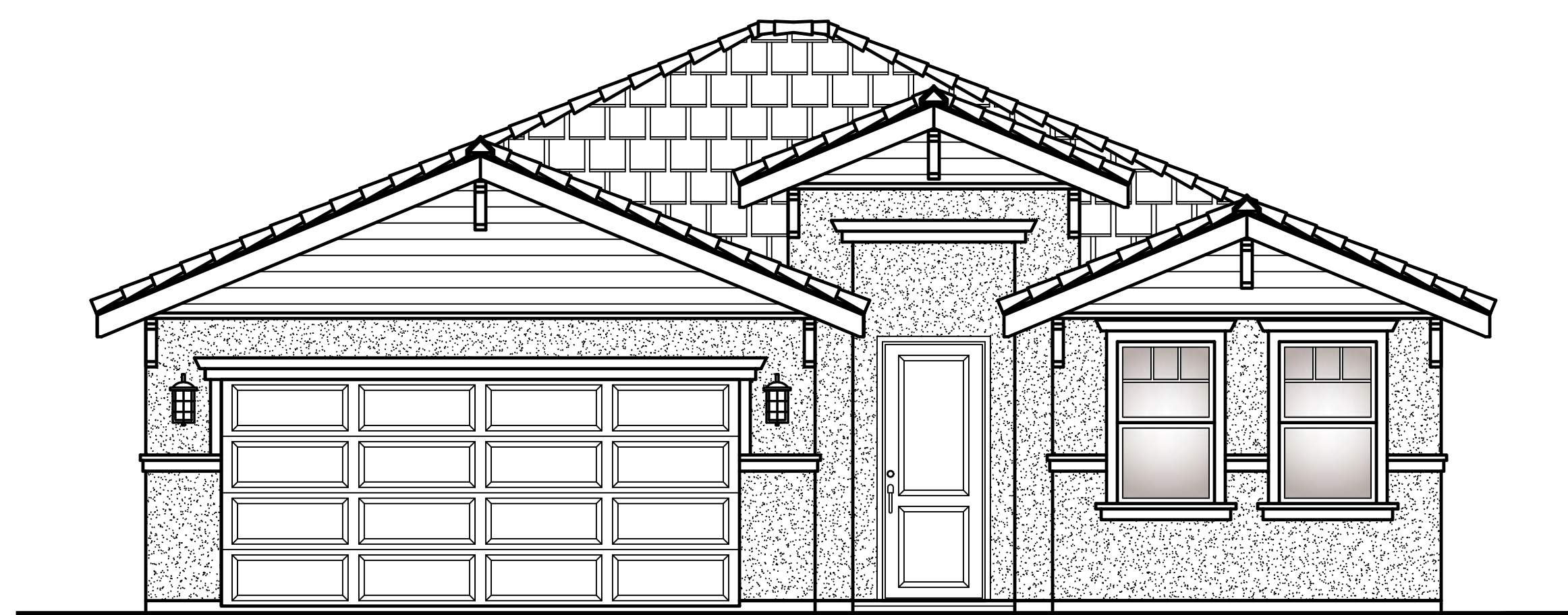
# The Piccola 1300 Standard Plan



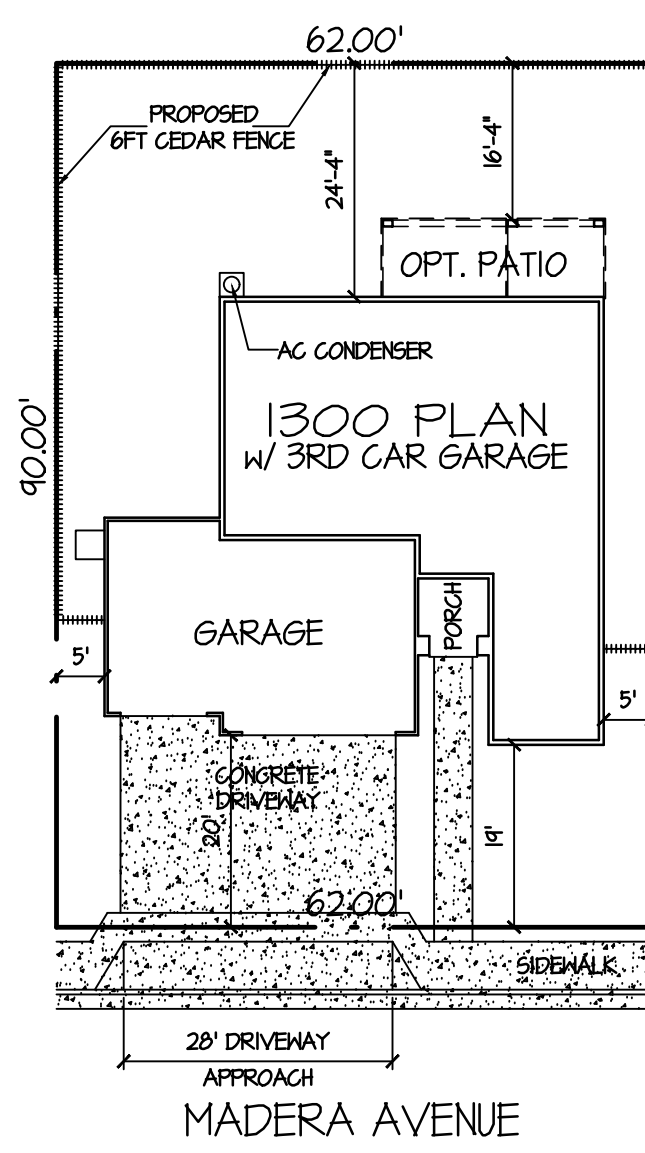
Standard Elevation 'A'



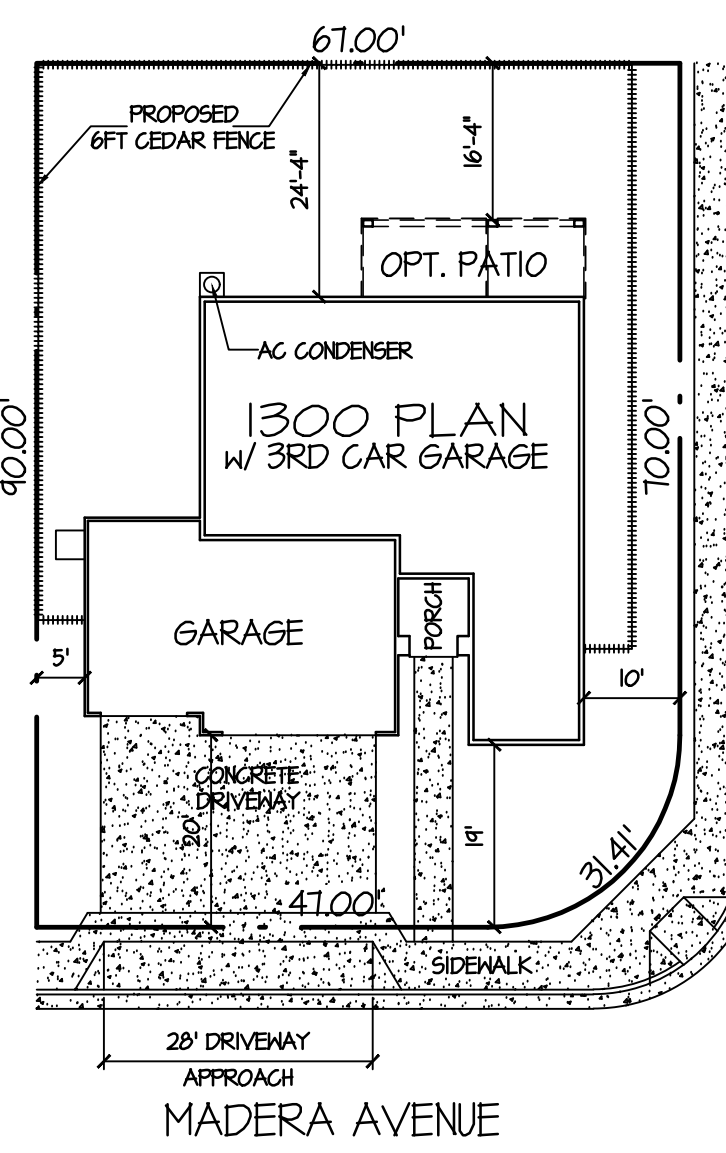
Standard Elevation 'B'



Standard Elevation 'C'



TYPICAL INTERIOR LOT  
PLOT PLAN  
3RD CAR GAR. OPT.  
SCALE: 1" = 20'-0"

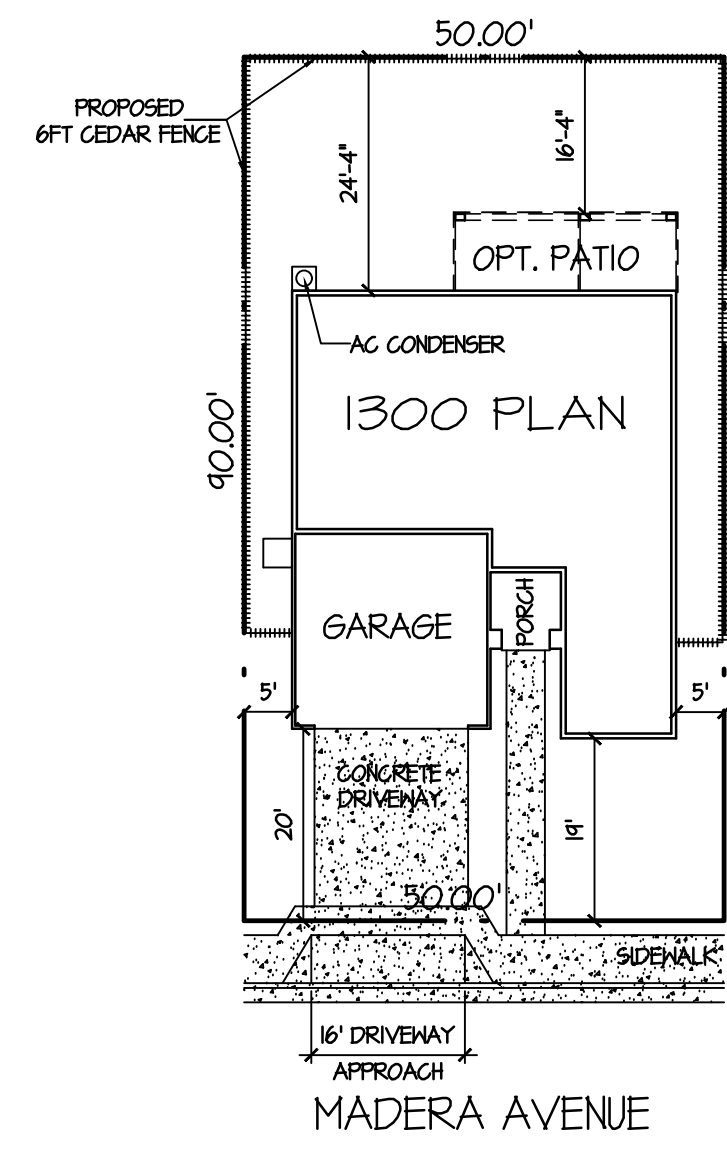


TYPICAL CORNER LOT  
PLOT PLAN  
3RD CAR GAR. OPT.  
SCALE: 1" = 20'-0"

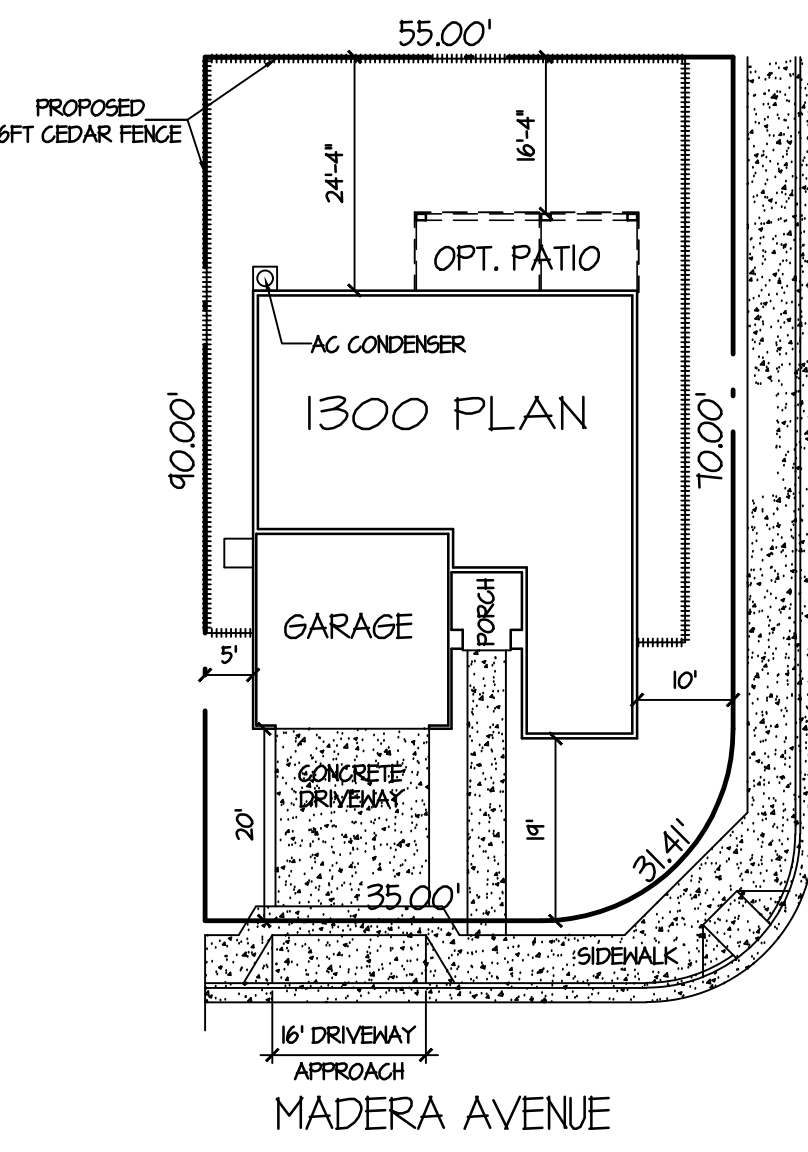
## Area:

3RD CAR GARAGE OPTION

LIVING SPACE:	1,300 sq. ft.
GARAGE:	418 sq. ft.
3RD CAR GARAGE:	272 sq. ft.
OPT. 1 PATIO:	80 sq. ft.
OPT. 2 PATIO:	184 sq. ft.
PORCH:	59 sq. ft.
TOTAL LIVING:	1,300 sq. ft.
TOTAL:	2,233 sq. ft.



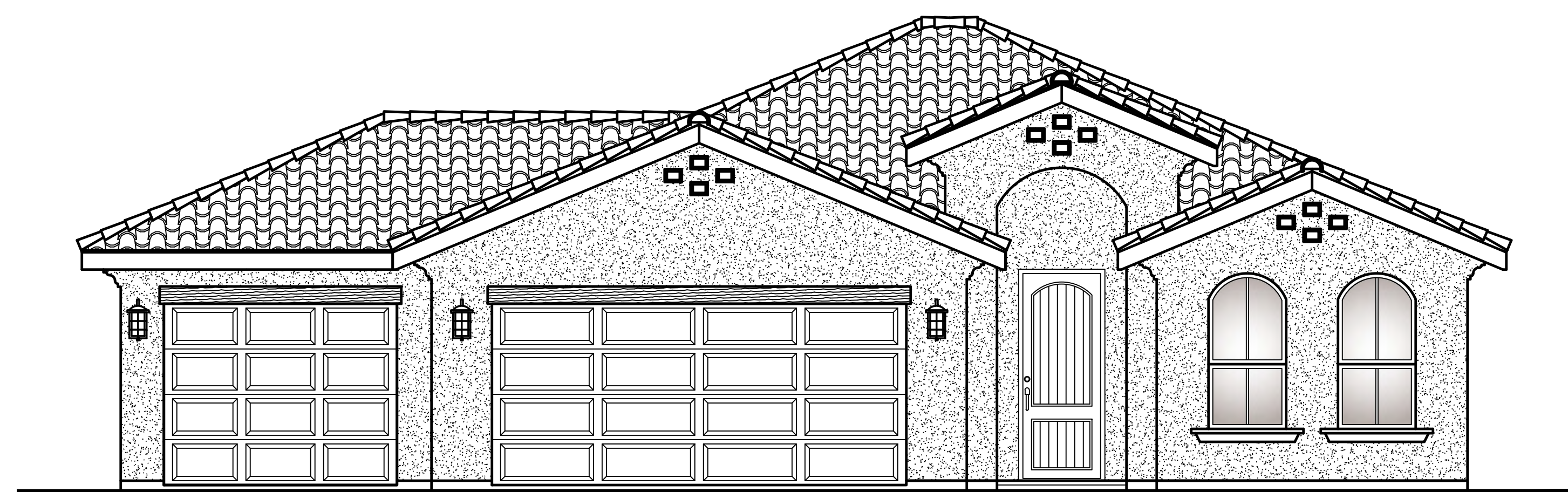
TYPICAL INTERIOR LOT  
PLOT PLAN  
SCALE: 1" = 20'-0"



TYPICAL CORNER LOT  
PLOT PLAN  
SCALE: 1" = 20'-0"

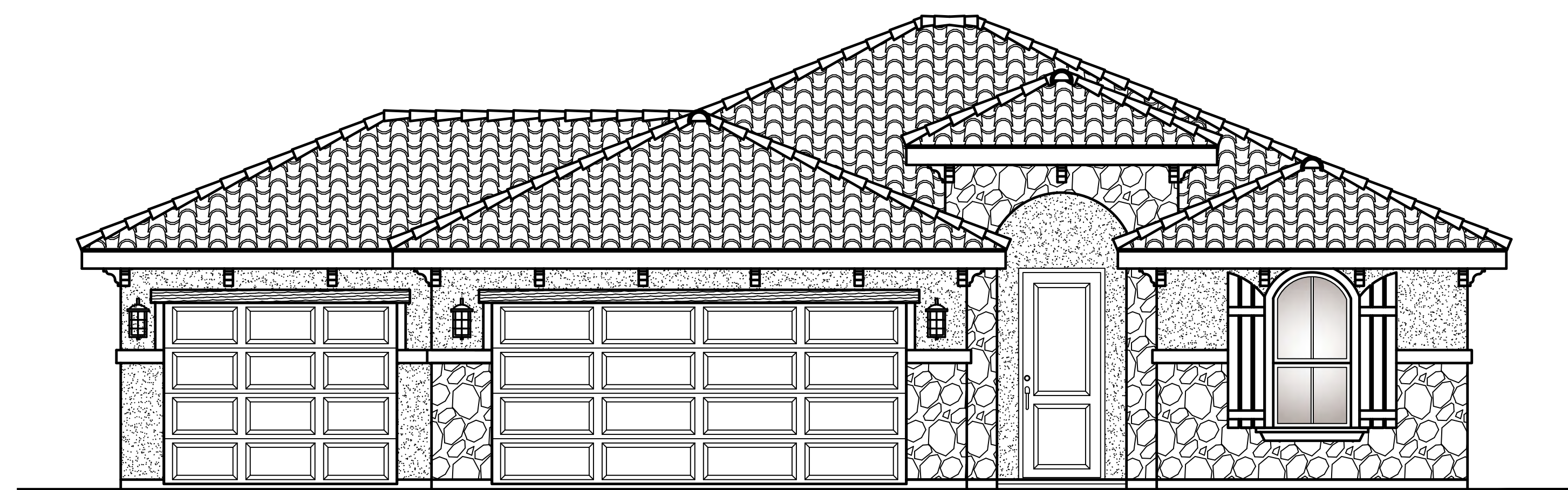
## Area:

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GARAGE:	418 sq. ft.
OPT. 1 PATIO:	80 sq. ft.
OPT. 2 PATIO:	184 sq. ft.
PORCH:	59 sq. ft.
TOTAL LIVING:	1,300 sq. ft.
TOTAL:	1,961 sq. ft.



Upgraded Elevation 'A'

W/ OPTIONAL 3RD CAR GARAGE



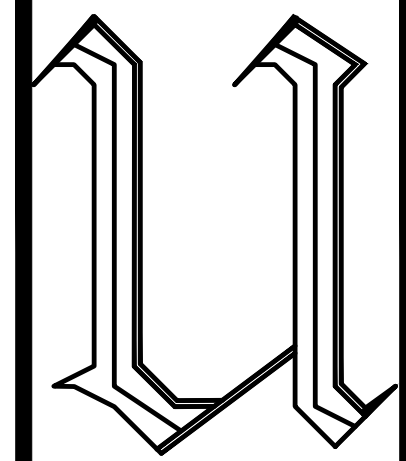
Upgraded Elevation 'B'

W/ OPTIONAL 3RD CAR GARAGE & STONE VENEER



Upgraded Elevation 'C'

W/ OPTIONAL 3RD CAR GARAGE & STONE VENEER



**Villa Di Ubaldo**  
Architecture, Engineering & Development  
Ubaldo Garcia Hernandez  
Architect Lic. No. C-35319  
PO BOX 925  
MADERA, CA 93639  
Tel. (559) 871-5534  
Email: villadiubaldo@hotmail.com



**Treywood**

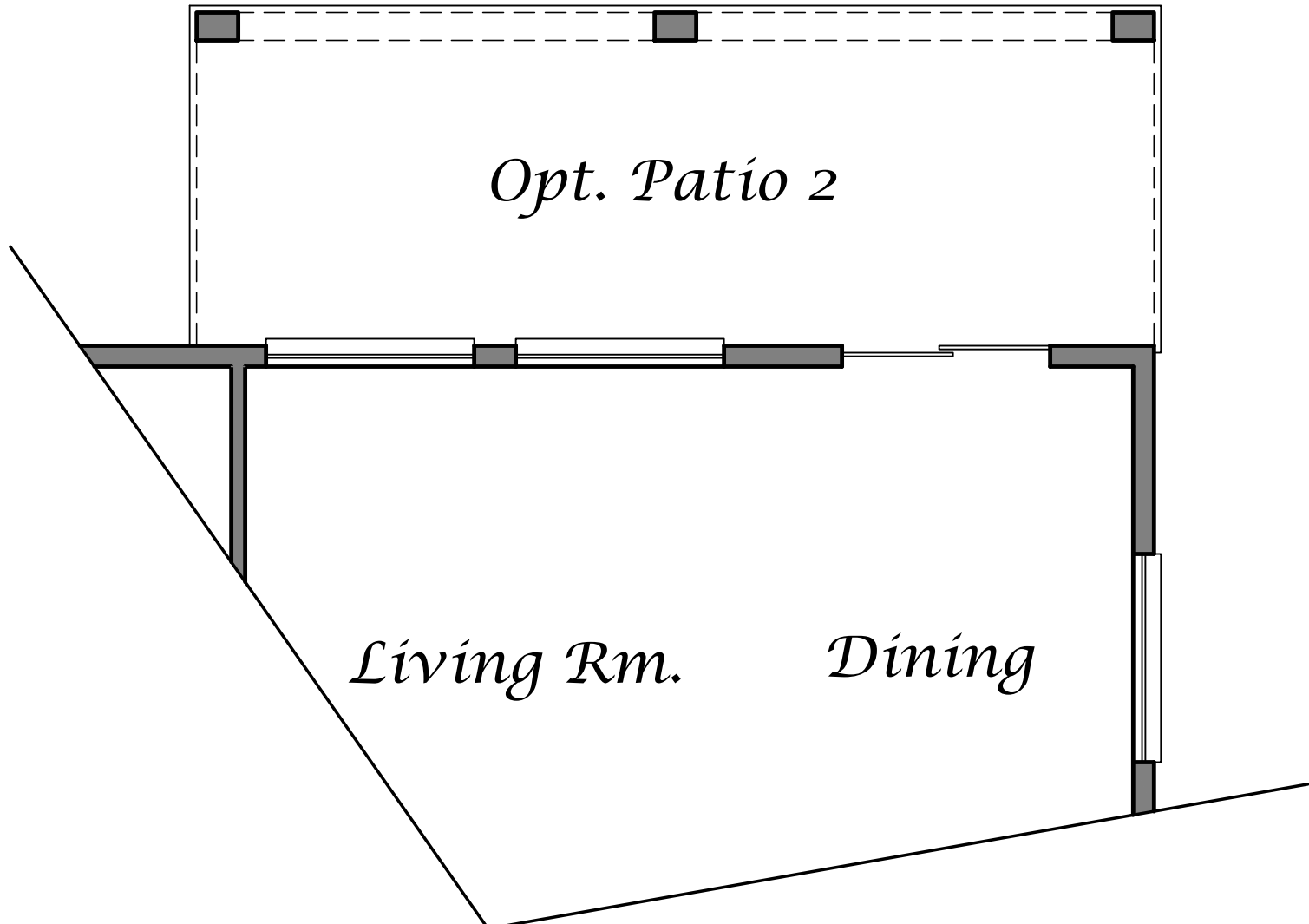
OWNER / BUILDER:  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
Phone: (559) 275-5200  
Email: jcrowncrownliving.com

DATE  
11/15/2021  
SCALE  
PER PLAN  
JOB NO.  
1300 PLAN MADERA  
SHEET

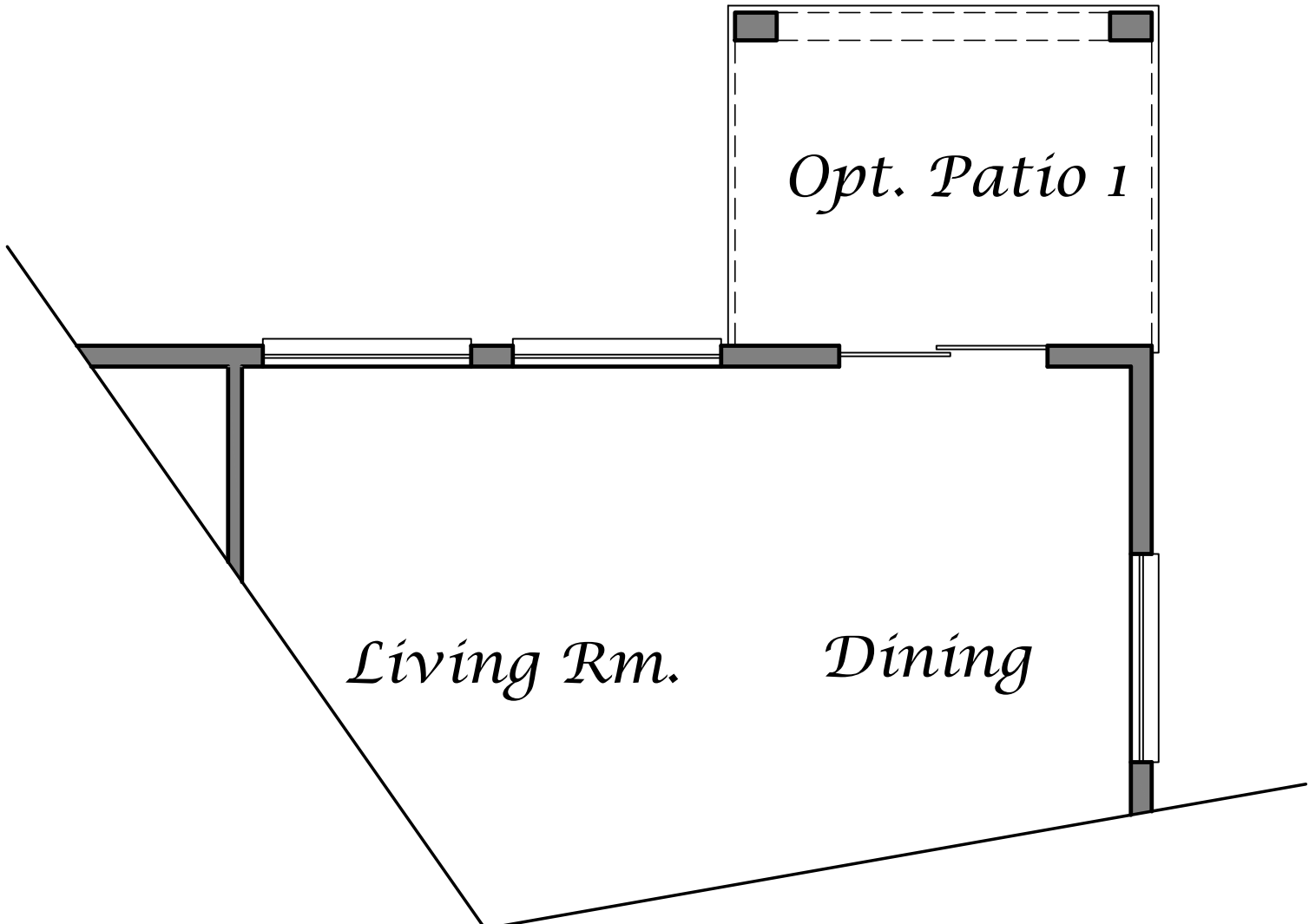
**C1**



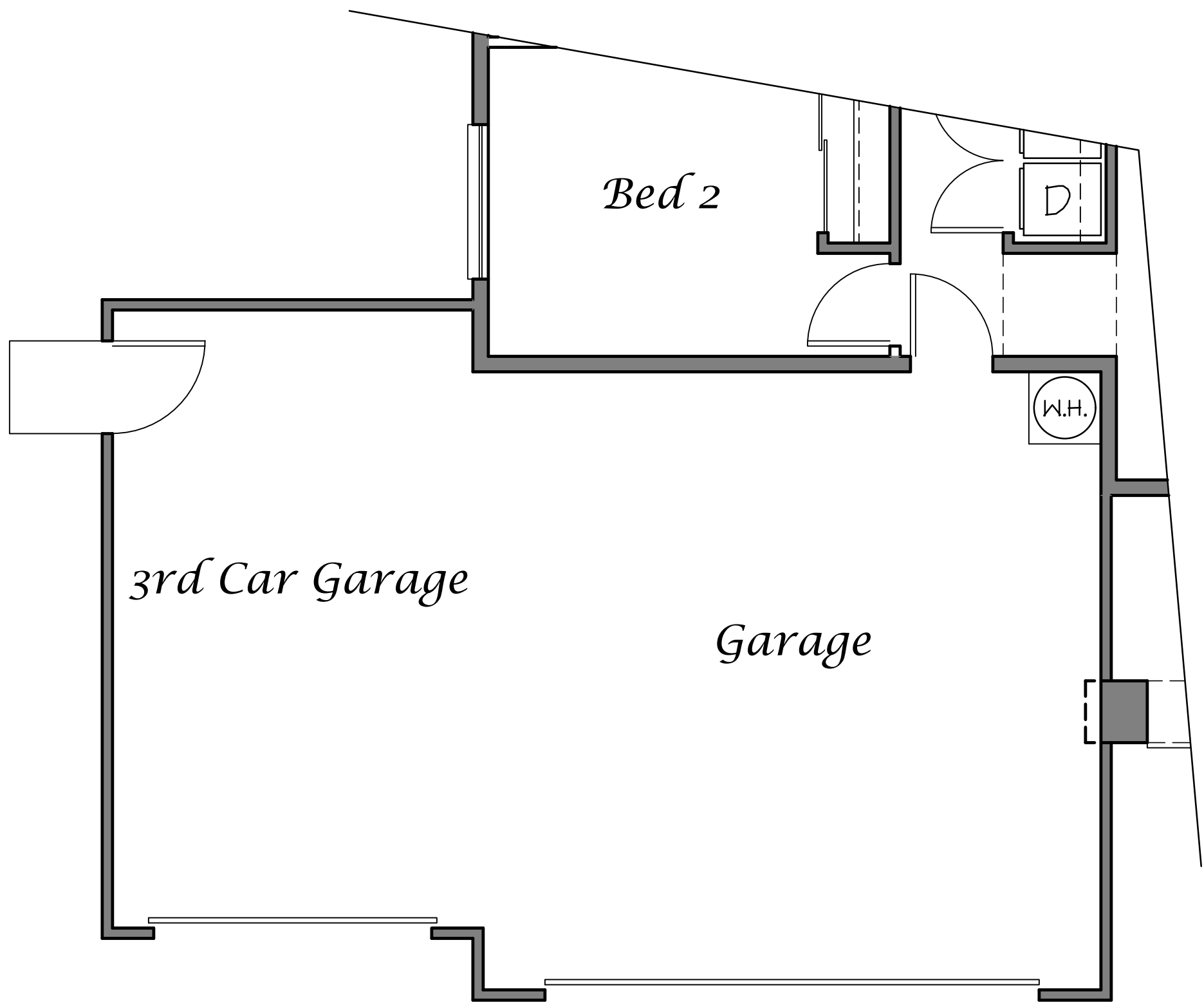
# The Piccola 1300 Standard Plan



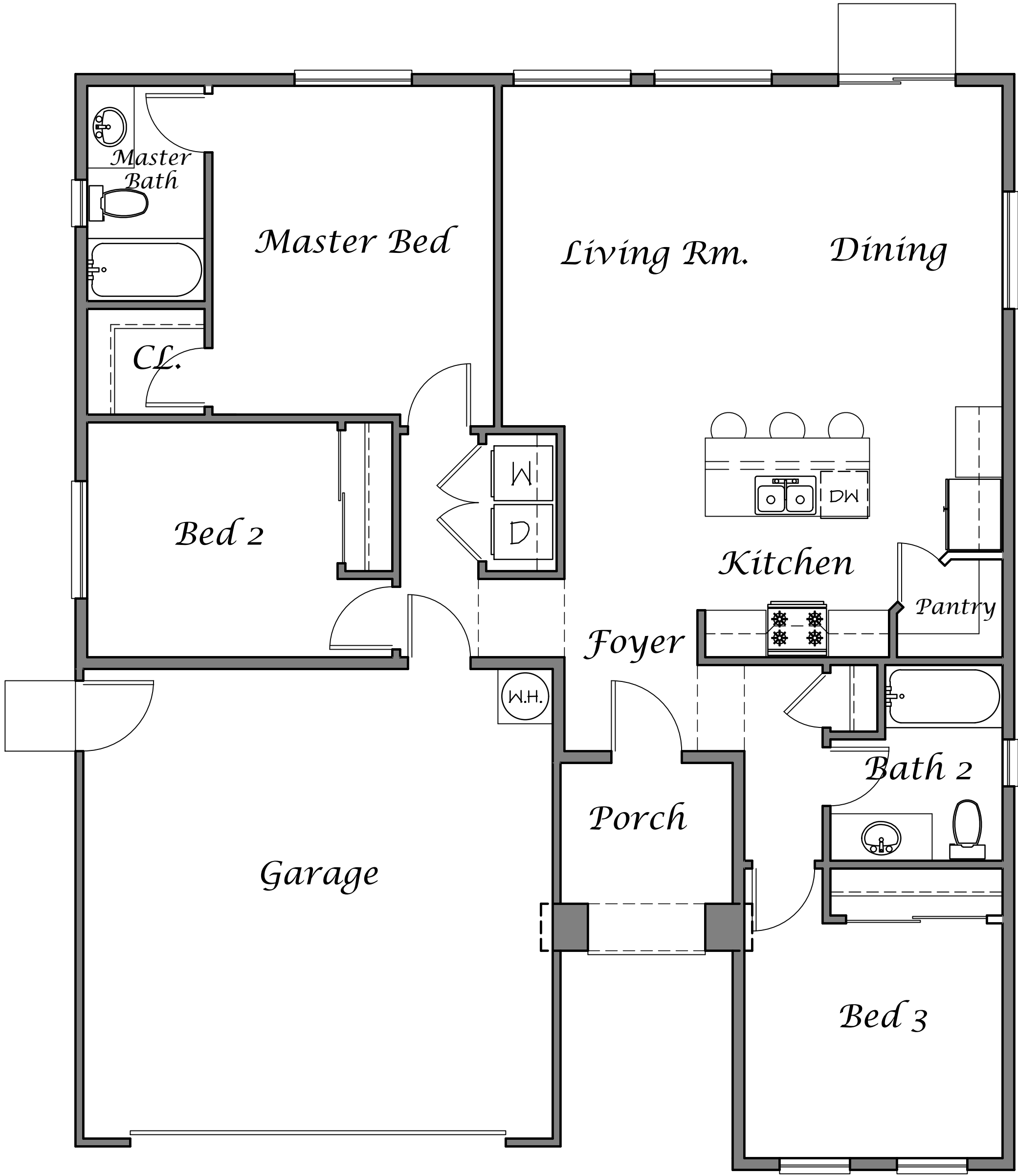
The Piccola 1300 Floor Plan  
w/ Optional Patio '2'



The Piccola 1300 Floor Plan  
w/ Optional Patio '1'



The Piccola 1300 Floor Plan  
w/ Optional 3rd Car Garage



The Piccola 1300 Plan Floor Plan

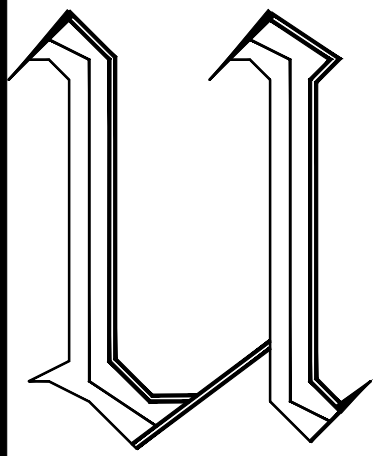
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PORCH:	54 sq. ft.
TOTAL LIVING:	1,300 sq. ft.
TOTAL:	1,961 sq. ft.

## Area:

3RD CAR GARAGE OPTION	
LIVING SPACE:	1,300 sq. ft.
GARAGE:	418 sq. ft.
3RD CAR GARAGE:	272 sq. ft.
OPT. 1 PATIO:	80 sq. ft.
OPT. 2 PATIO:	184 sq. ft.
PORCH:	54 sq. ft.
TOTAL LIVING:	1,300 sq. ft.
TOTAL:	2,233 sq. ft.

## The Piccola 1300 Plan Floor Plan



**Villa Di Ubaldo**  
Architecture, Engineering & Development  
Ubaldo Garcia Hernandez  
Architect Lic. No. C-35319  
PO BOX 925  
MADERA, CA 93639  
Tel. (559) 871-5534  
Email: villadiubaldo@hotmail.com



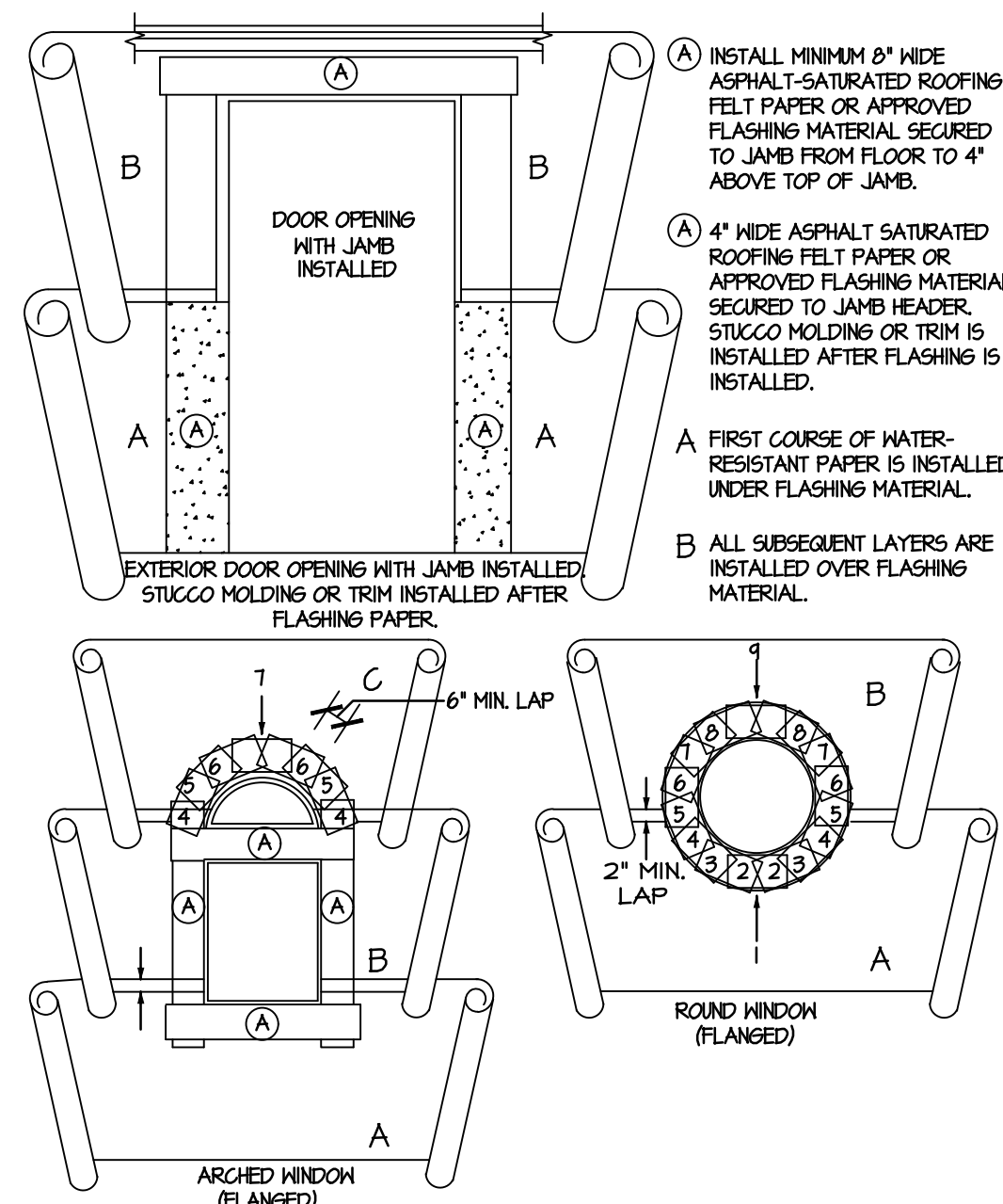
**Treywood**

**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
Phone: (559) 275-5200  
Email: jcrown@crowningliving.com

DATE: 11/15/2021  
SCALE: 1/4" = 1'-0"  
JOB NO: 1300 PLAN MADERA  
SHEET

**A1**





Door & Window Flashing Detail

**SOLAR MODULE ZONE NOTES:**  
SOLAR NOTE: NO OBSTRUCTIONS, INCLUDING BUT NOT LIMITED TO, VENTS, CHIMNEYS, ARCHITECTURAL FEATURES AND ROOF MOUNTED EQUIPMENT, SHALL BE LOCATED IN THE SOLAR ZONE.  
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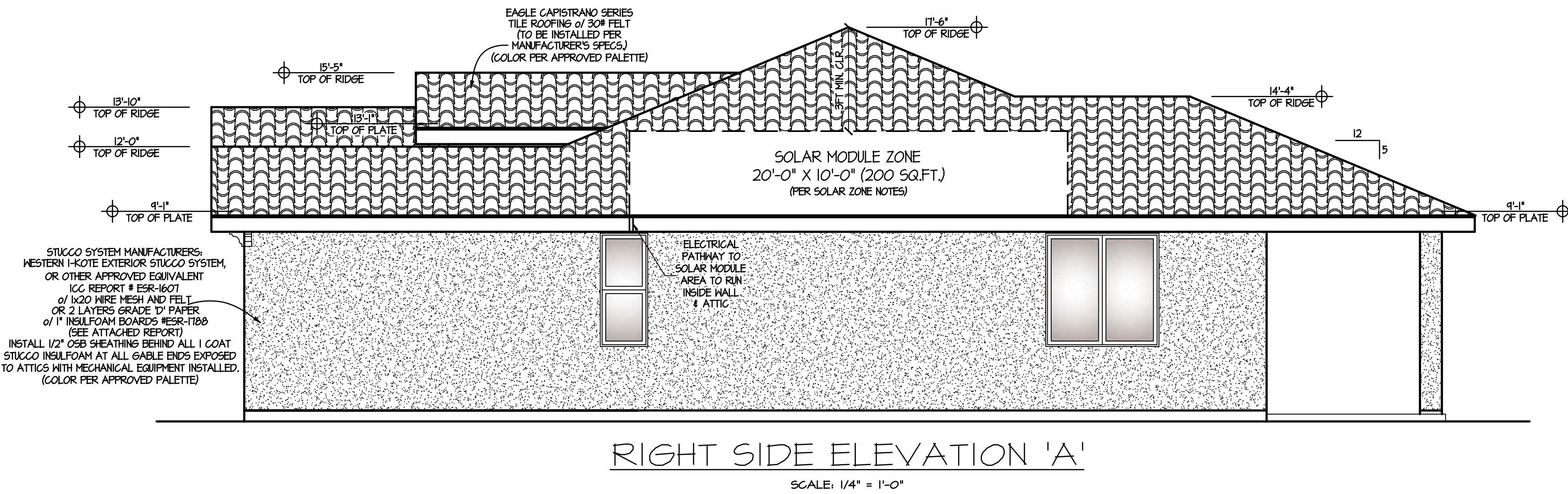
FRONT ELEVATION 'A'

SCALE: 1/4" = 1'-0"



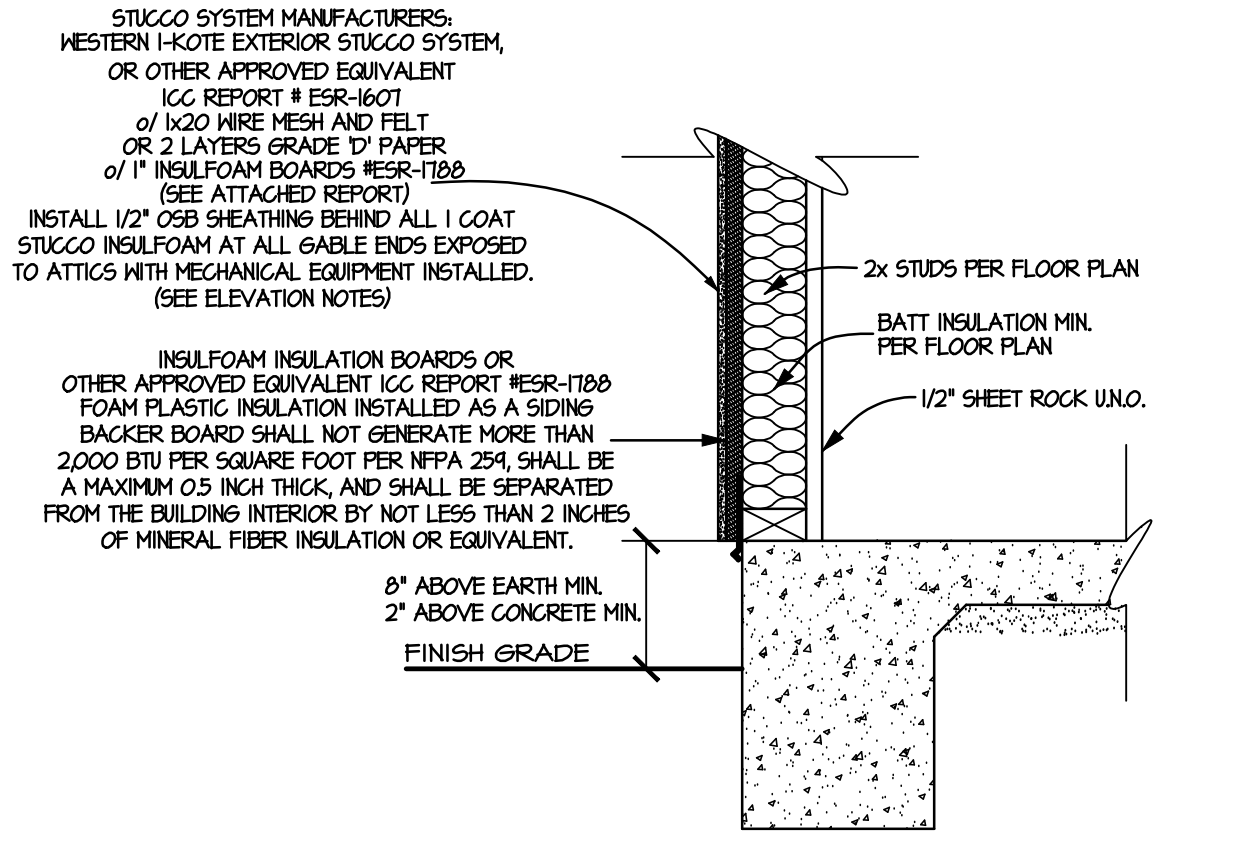
FRONT ELEVATION 'A'

3RD CAR GARAGE OPTION  
SCALE: 1/4" = 1'-0"

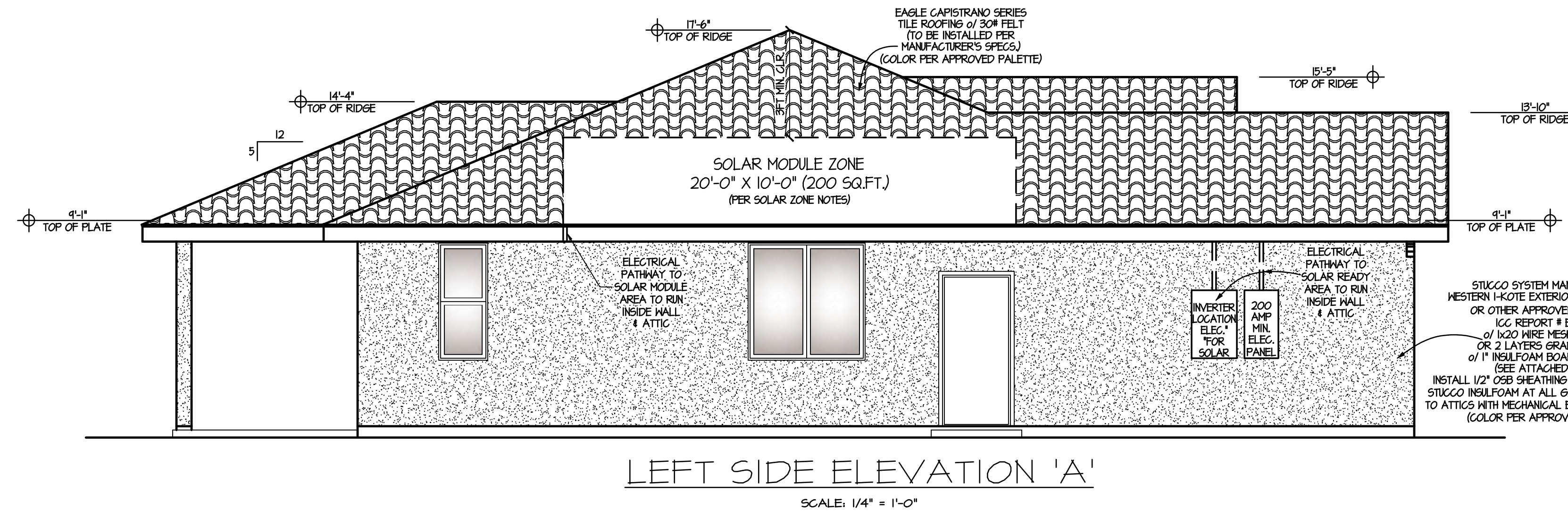


RIGHT SIDE ELEVATION 'A'

SCALE: 1/4" = 1'-0"

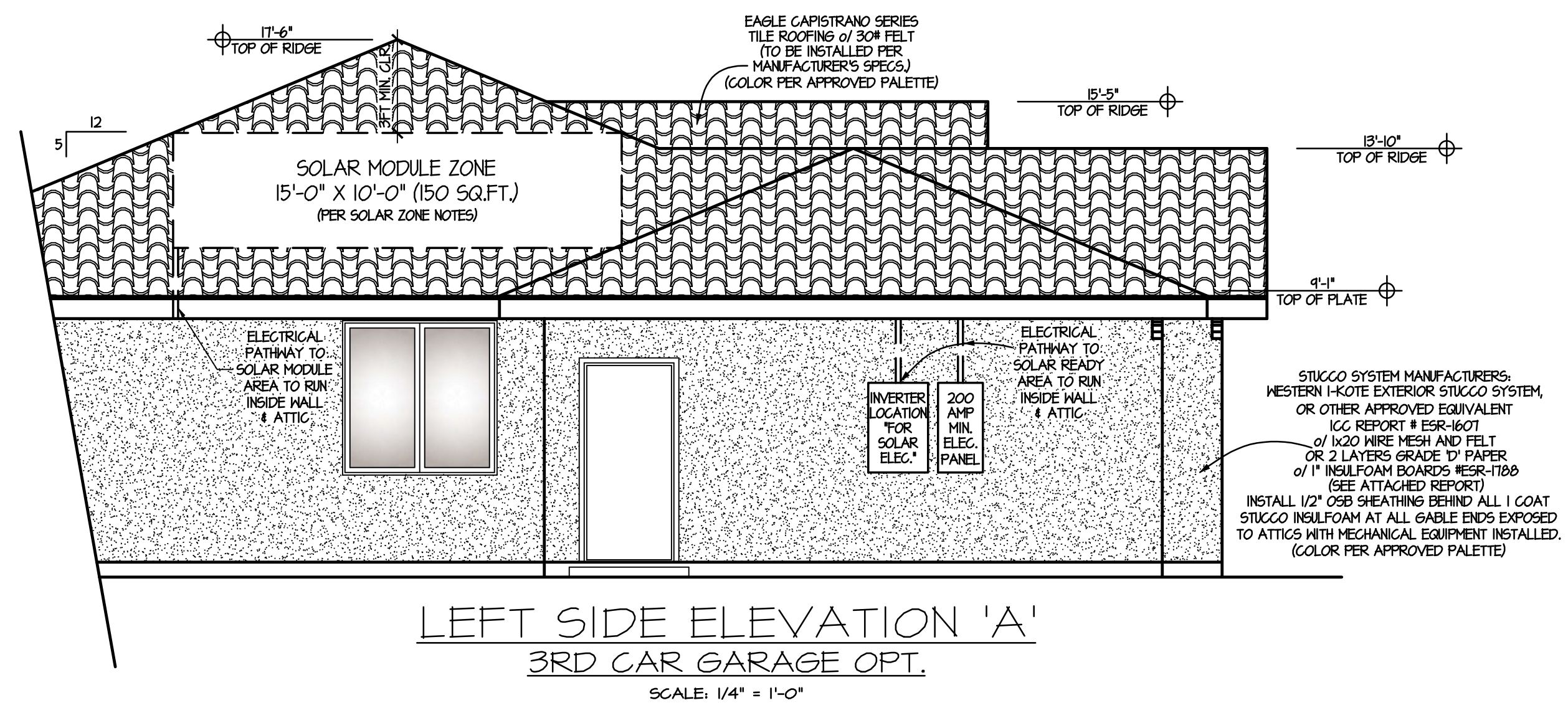


ONE COAT STUCCO DETAIL 'S'



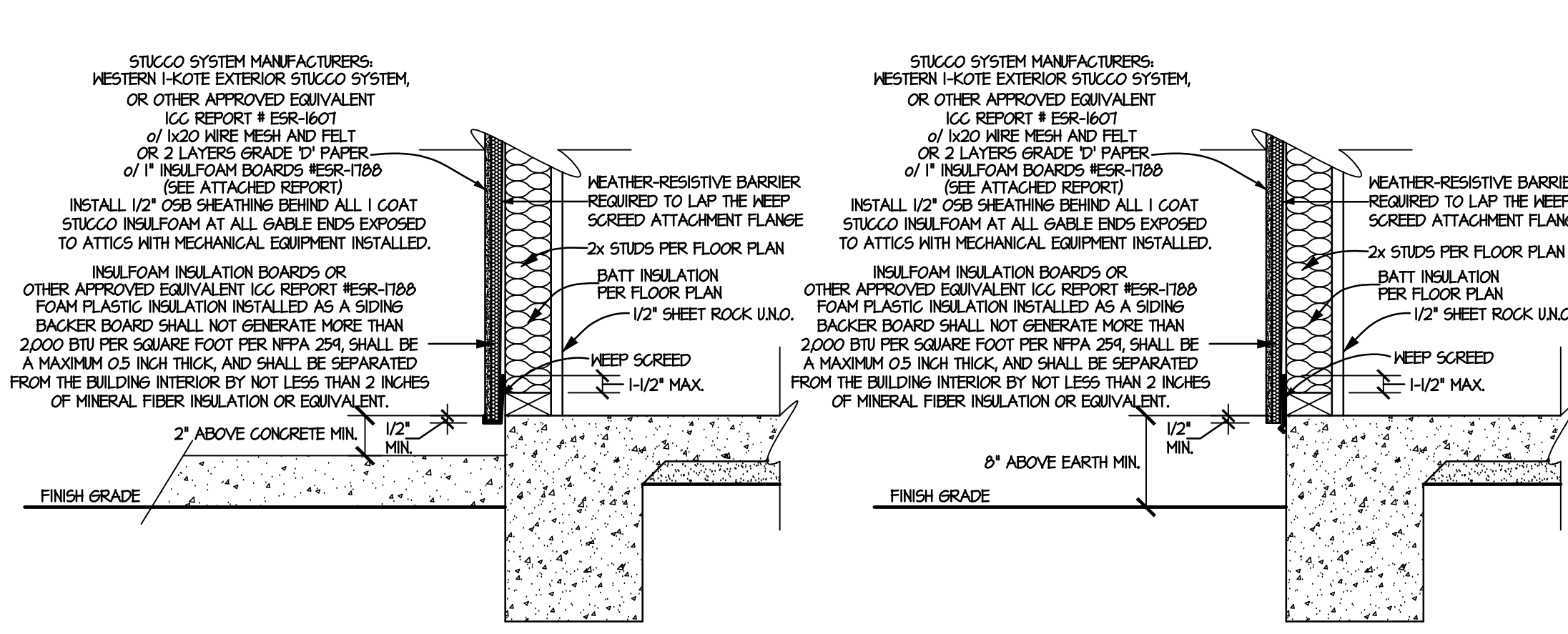
LEFT SIDE ELEVATION 'A'

SCALE: 1/4" = 1'-0"



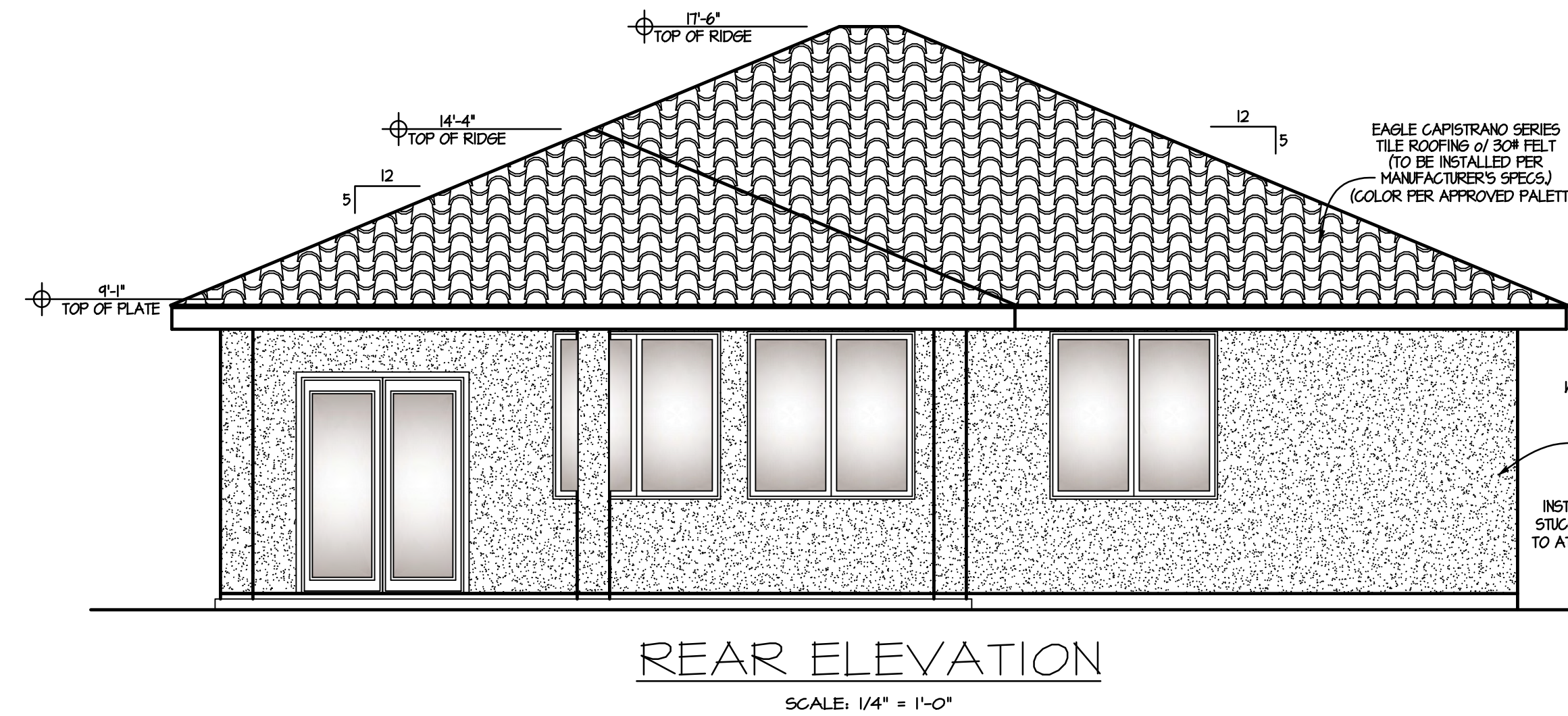
LEFT SIDE ELEVATION 'A'

3RD CAR GARAGE OPT.  
SCALE: 1/4" = 1'-0"



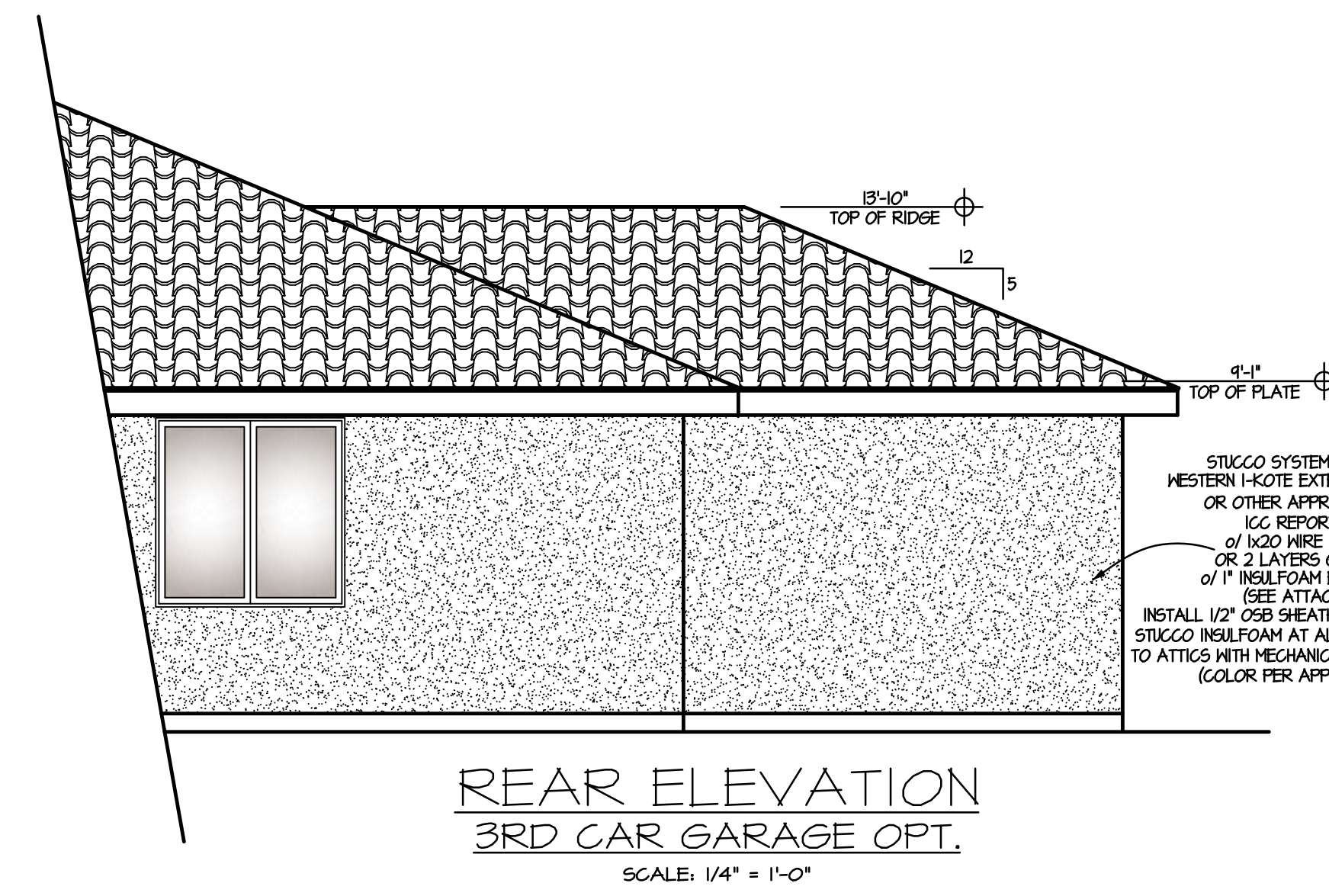
Weep Screed Detail 'A'

Weep Screed Detail 'B'



REAR ELEVATION

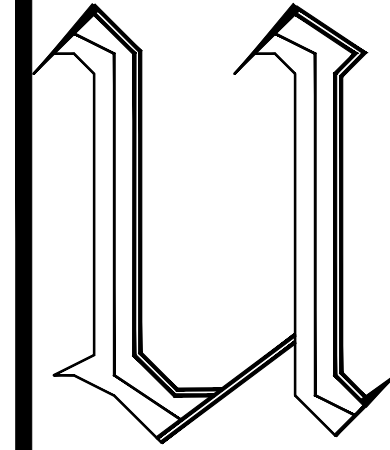
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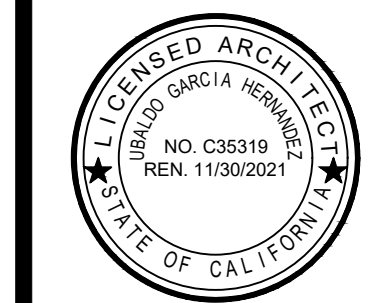
REAR ELEVATION

3RD CAR GARAGE OPT.  
SCALE: 1/4" = 1'-0"

# The Piccola 1300 Plan Exterior Elevations 'A'



**Ubaldo Di Ubaldo**  
Architecture, Engineering & Development  
Ubaldo Garcia Hernandez  
Architect Lic. No. C-35319  
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Email: ubaldobaldo@hotmail.com



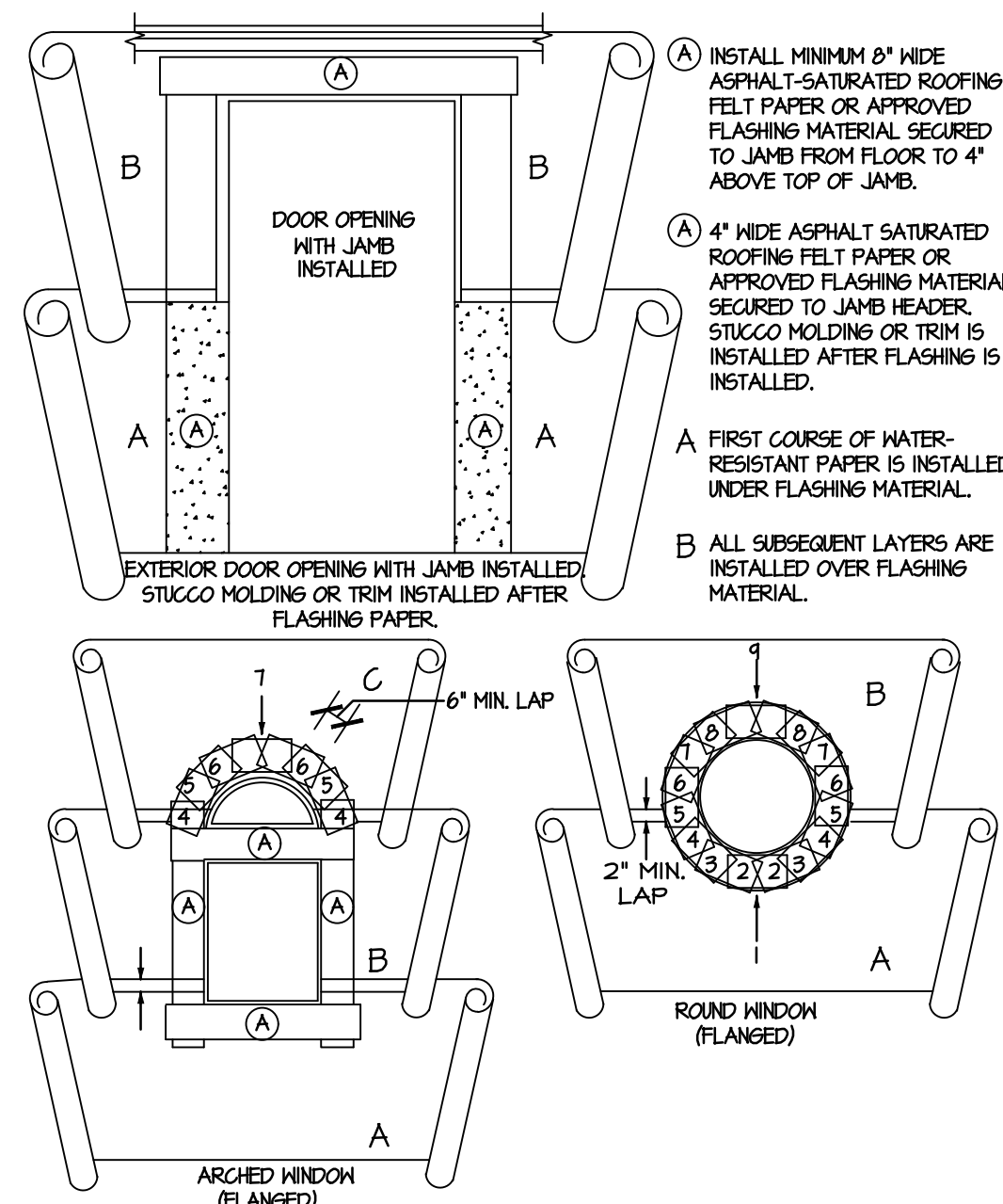
**Dreywood**

**JOSEPH CROWN**  
OWNER / BUILDER:  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
Phone: (559) 275-5200  
Email: jcrowndc@comcast.net

DATE: 11/15/2021  
SCALE: 1/4" = 1'-0"  
JOB NO: 1300 PLAN MADERA  
SHEET

**A2**





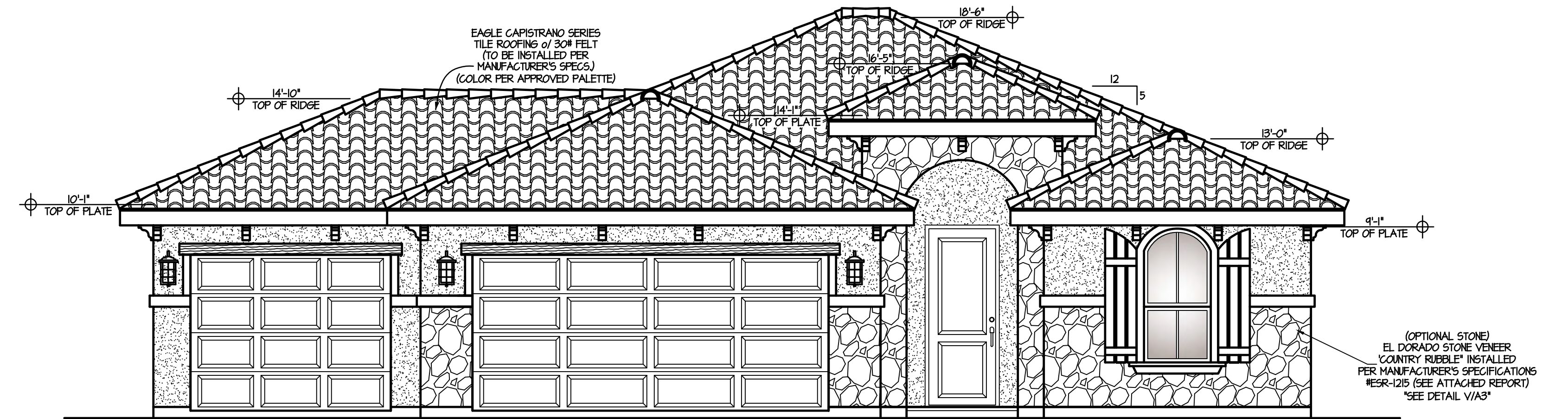
Door & Window Flashing Detail

**SOLAR MODULE ZONE NOTES:**  
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FRONT ELEVATION 'B'

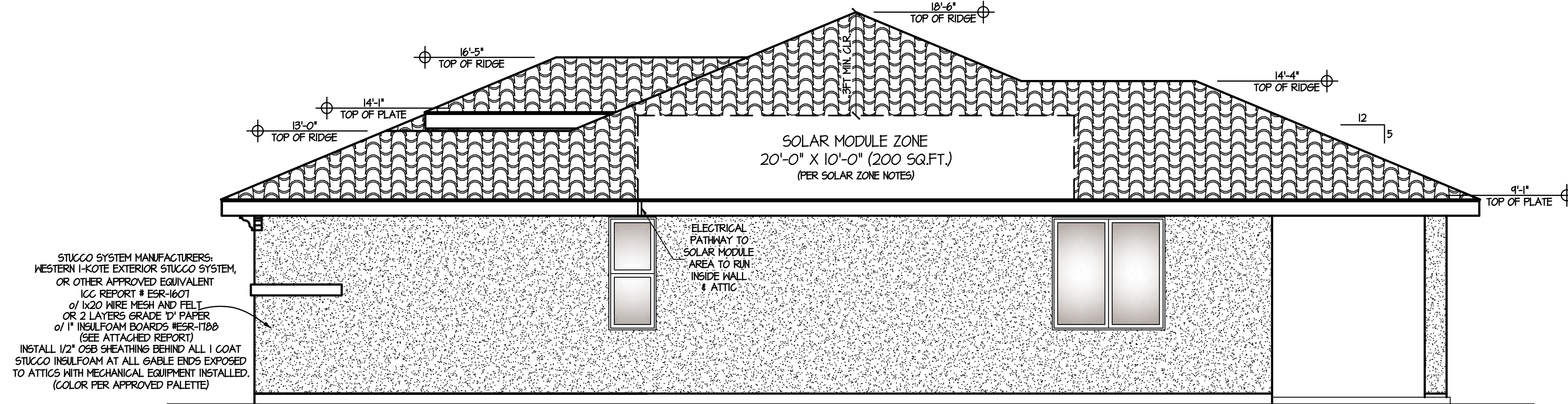
SCALE: 1/4" = 1'-0"



FRONT ELEVATION 'B'

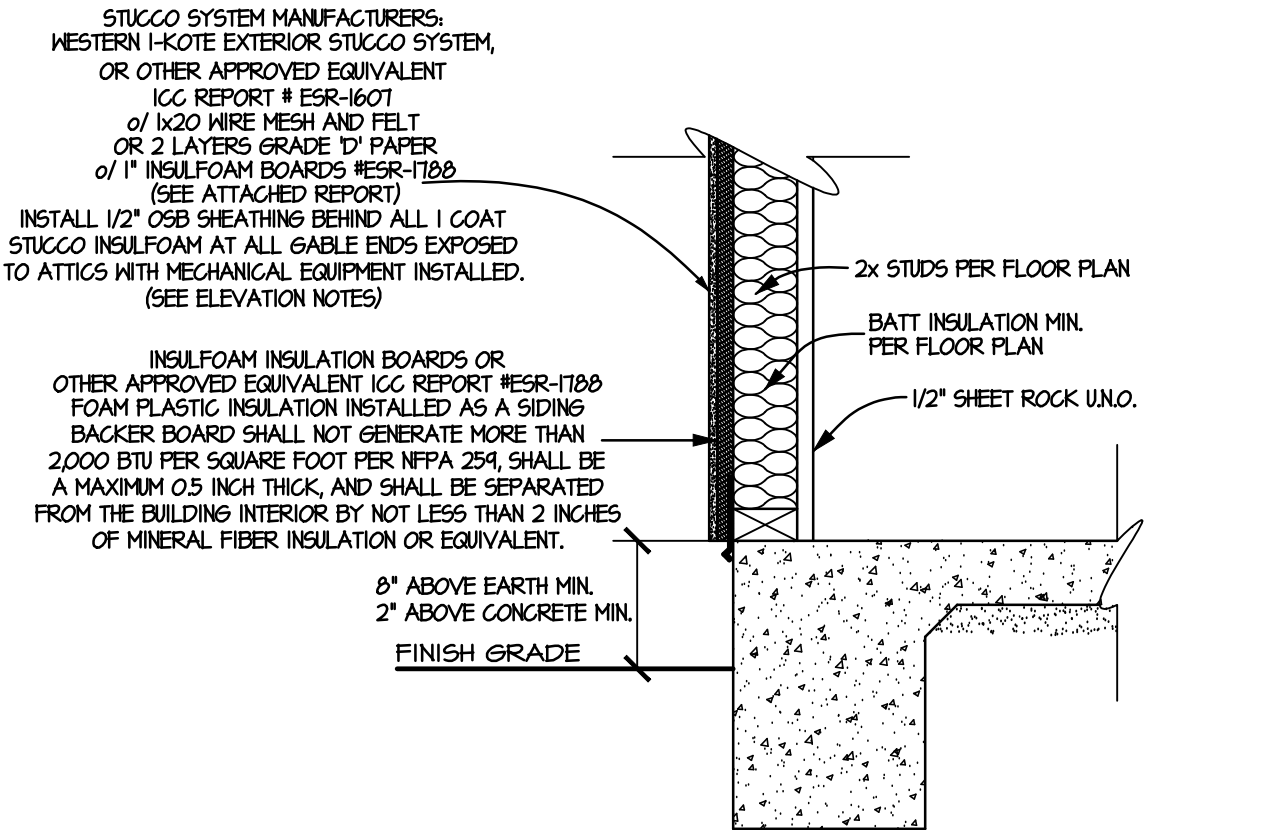
3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"

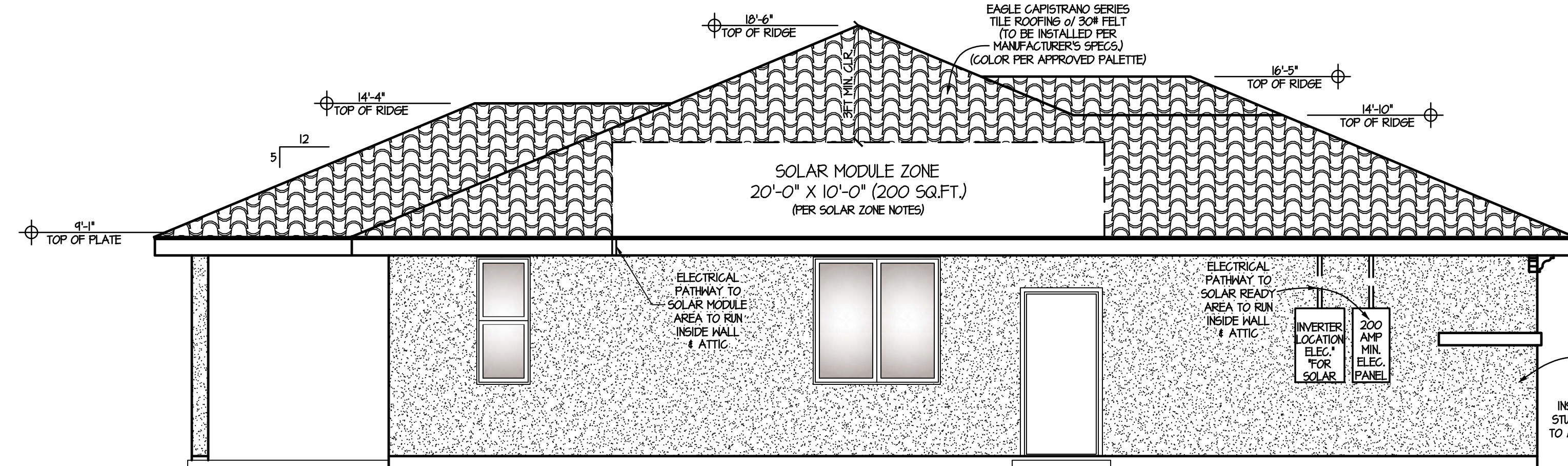


RIGHT SIDE ELEVATION 'B'

SCALE: 1/4" = 1'-0"

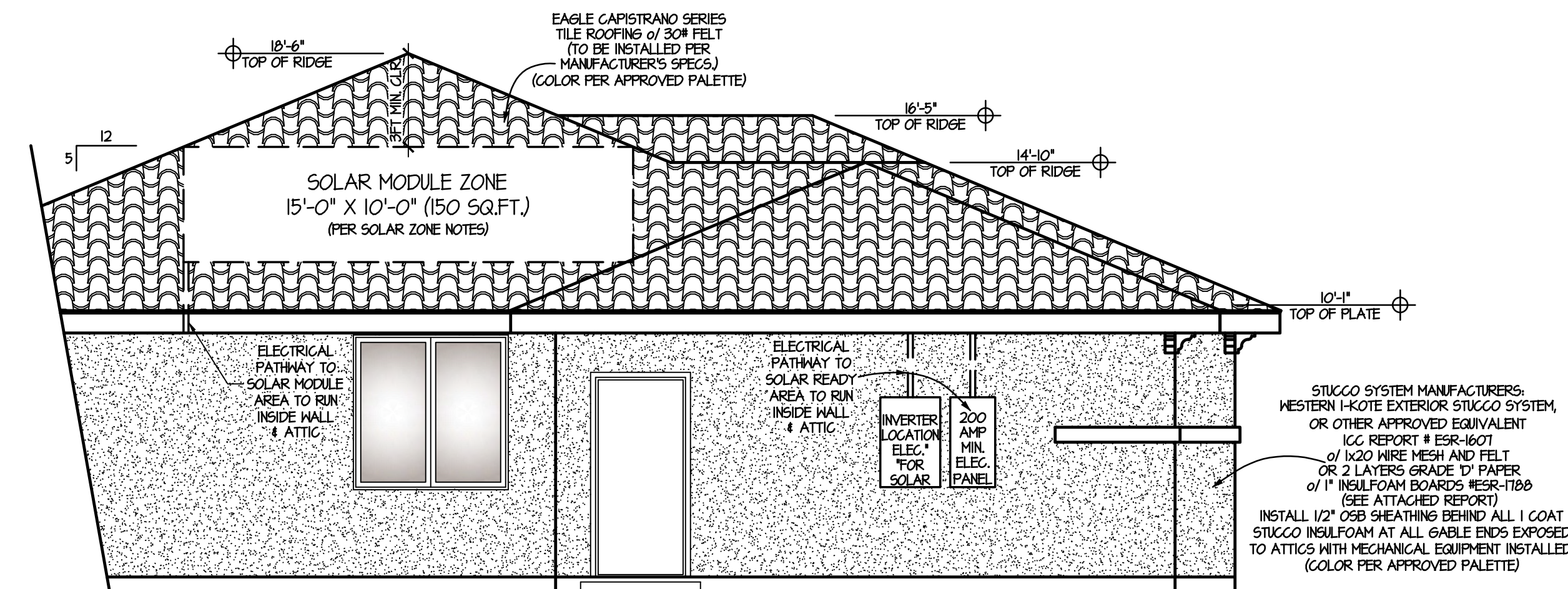


ONE COAT STUCCO DETAIL 'S'



LEFT SIDE ELEVATION 'B'

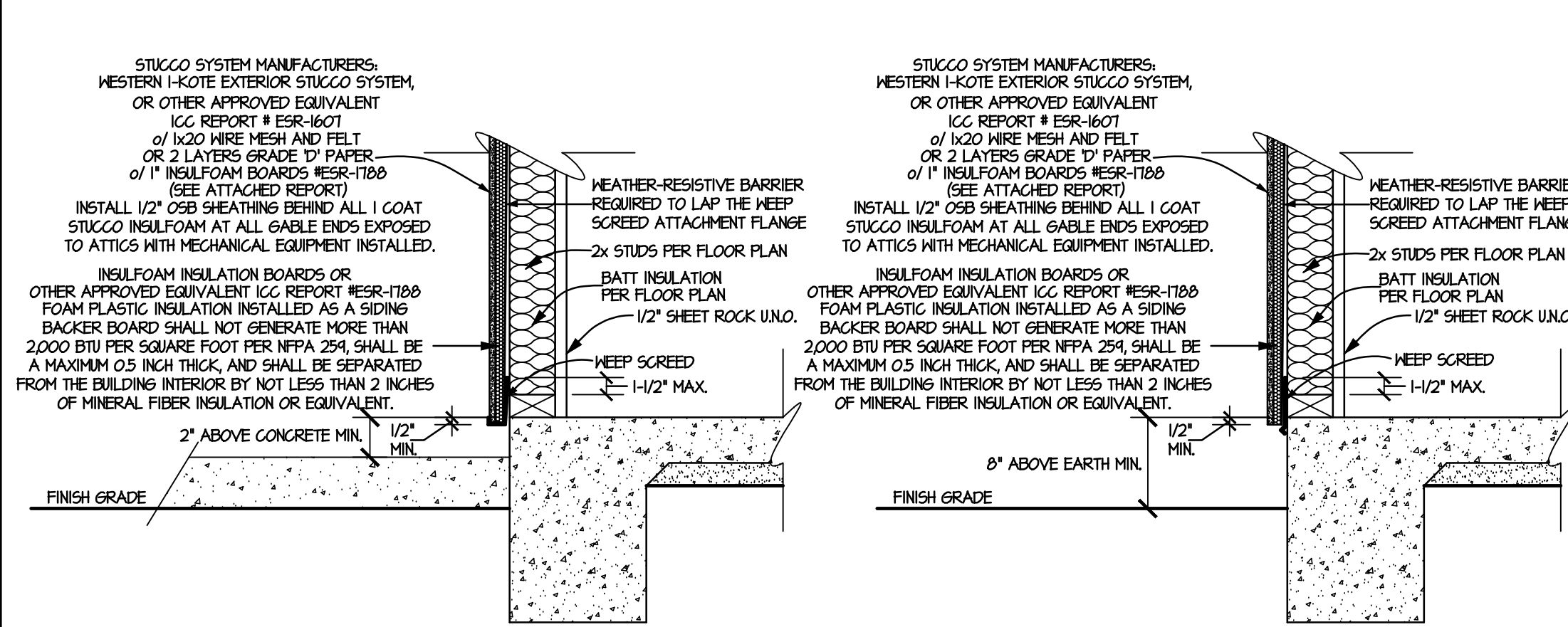
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LEFT SIDE ELEVATION 'B'

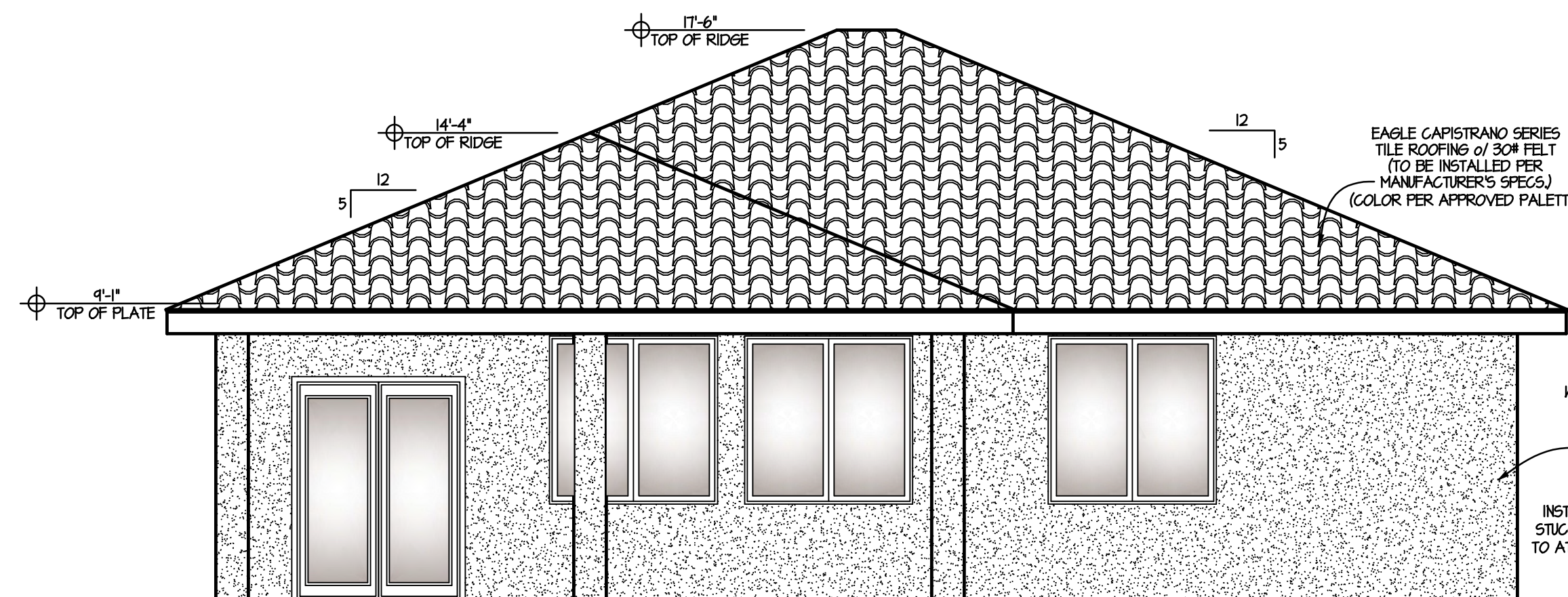
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"



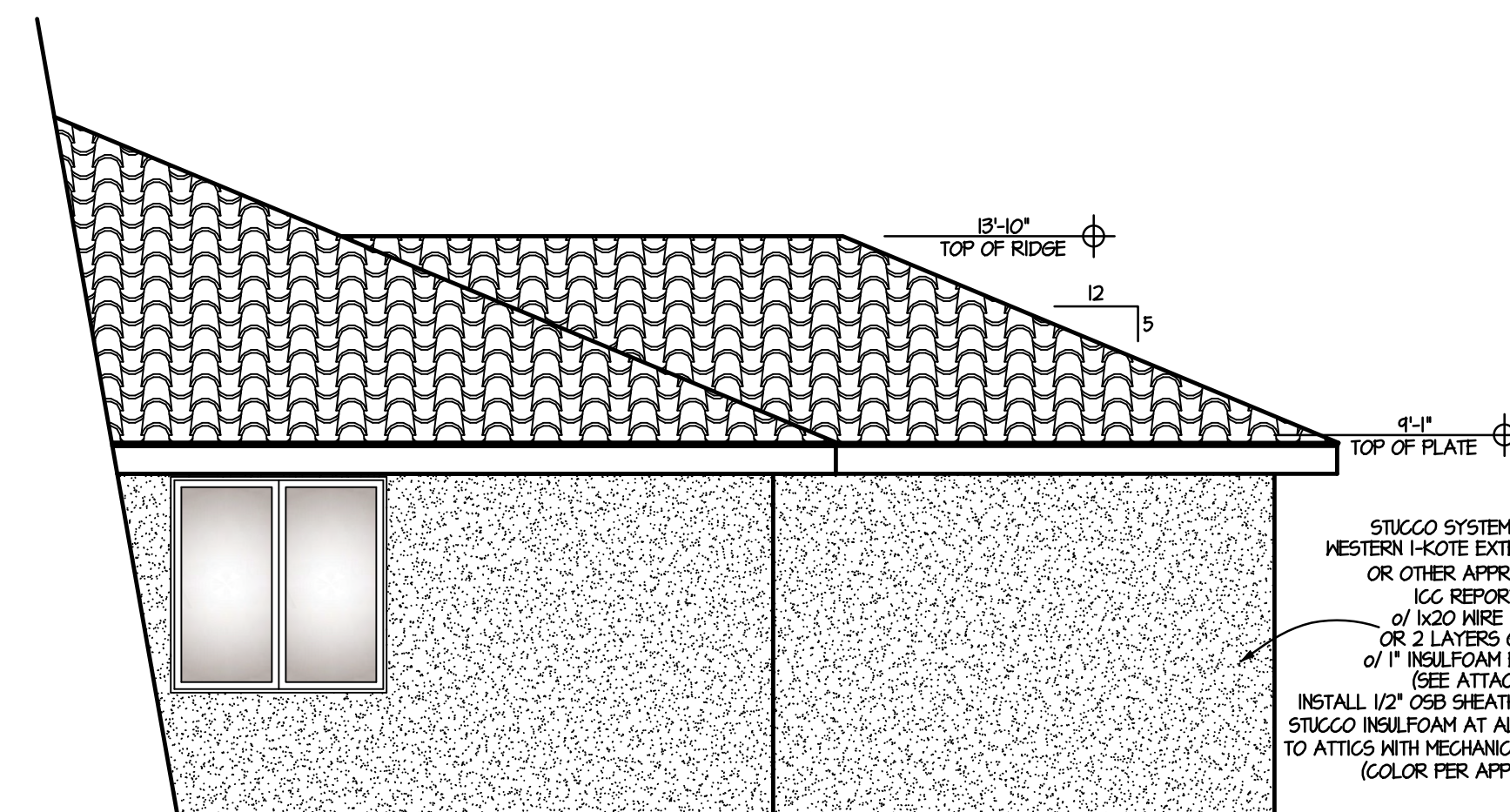
Weep Screed Detail 'A'

Weep Screed Detail 'B'



REAR ELEVATION

SCALE: 1/4" = 1'-0"

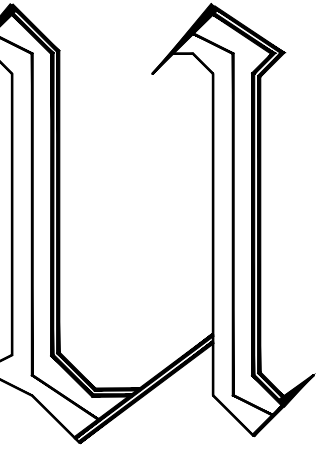


REAR ELEVATION

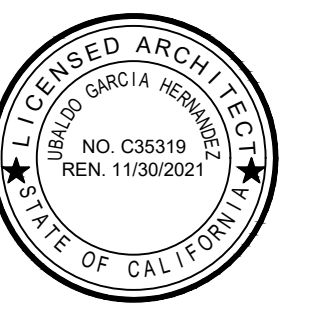
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"

The Piccola 1300 Plan Exterior Elevations 'B'



**Villa Di Ubaldo**  
Architecture, Engineering & Development  
Ubaldo Garcia Hernandez  
Architect Lic. No. C-35319  
PO BOX 925  
MADERA, CA 93639  
Tel. (559) 871-5534  
Email: villadiubaldo@hotmail.com



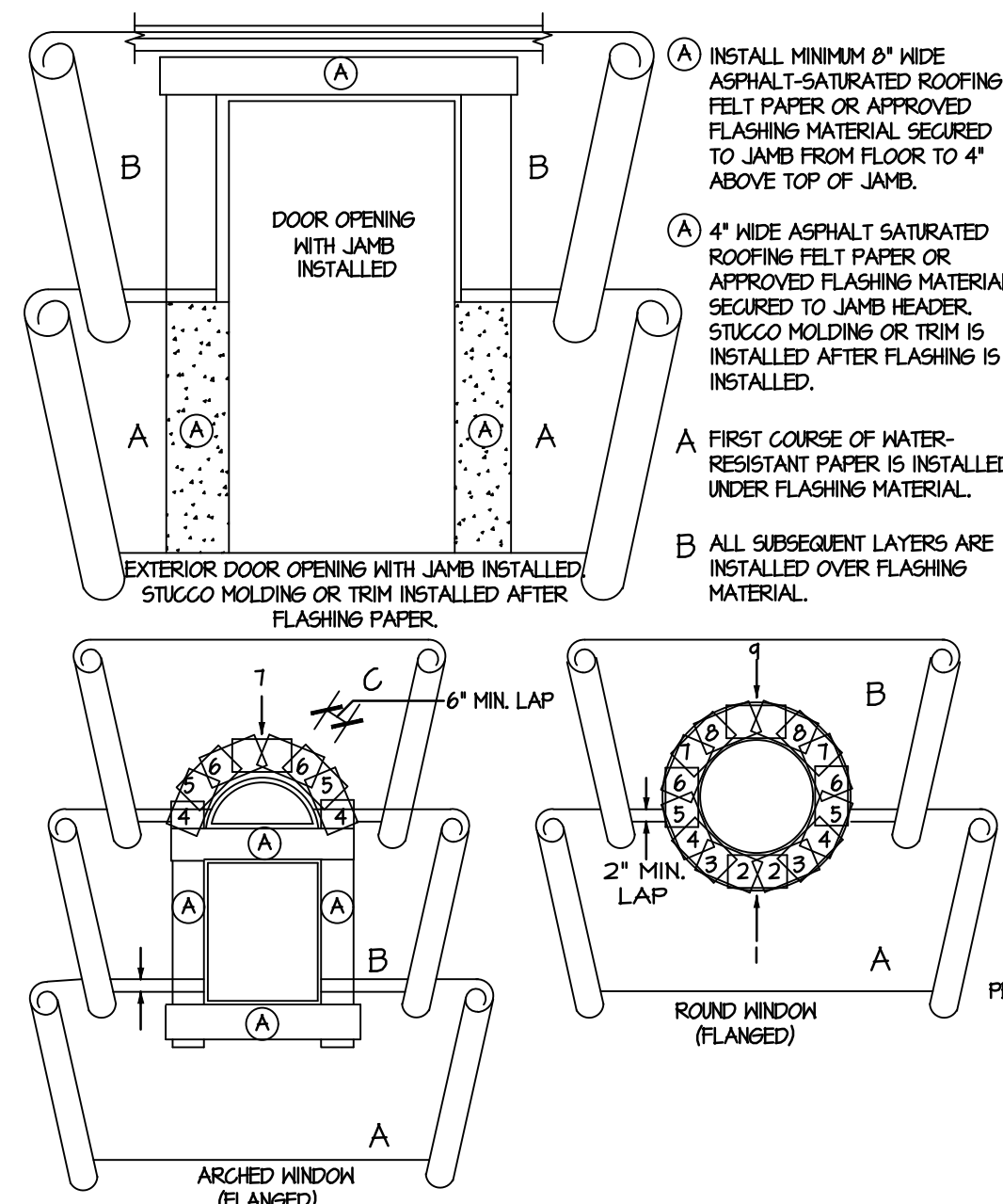
**Dreywood**

**JOSEPH CROWN**  
OWNER / BUILDER:  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
Phone: (559) 275-5200  
Email: jcrowndc@comcast.net

DATE: 11/15/2021  
SCALE: 1/4" = 1'-0"  
JOB NO.: 1300 PLAN MADERA  
SHEET

**A3**

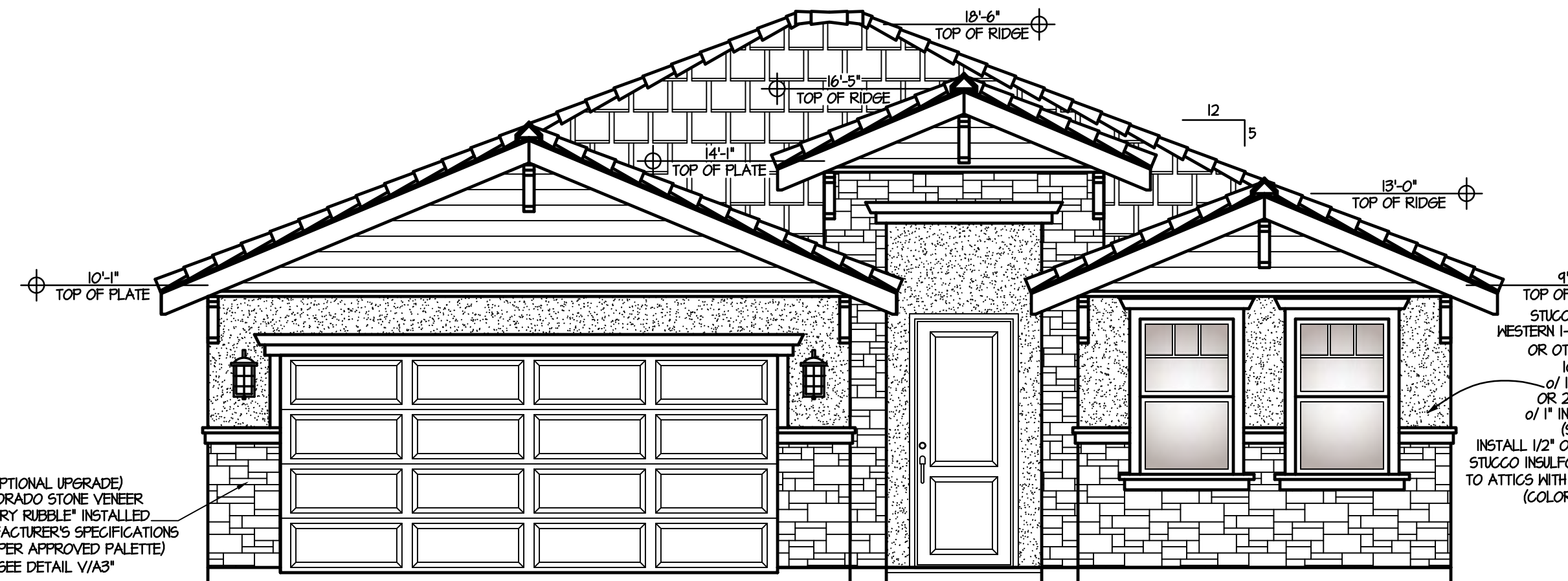




Door & Window Flashing Detail

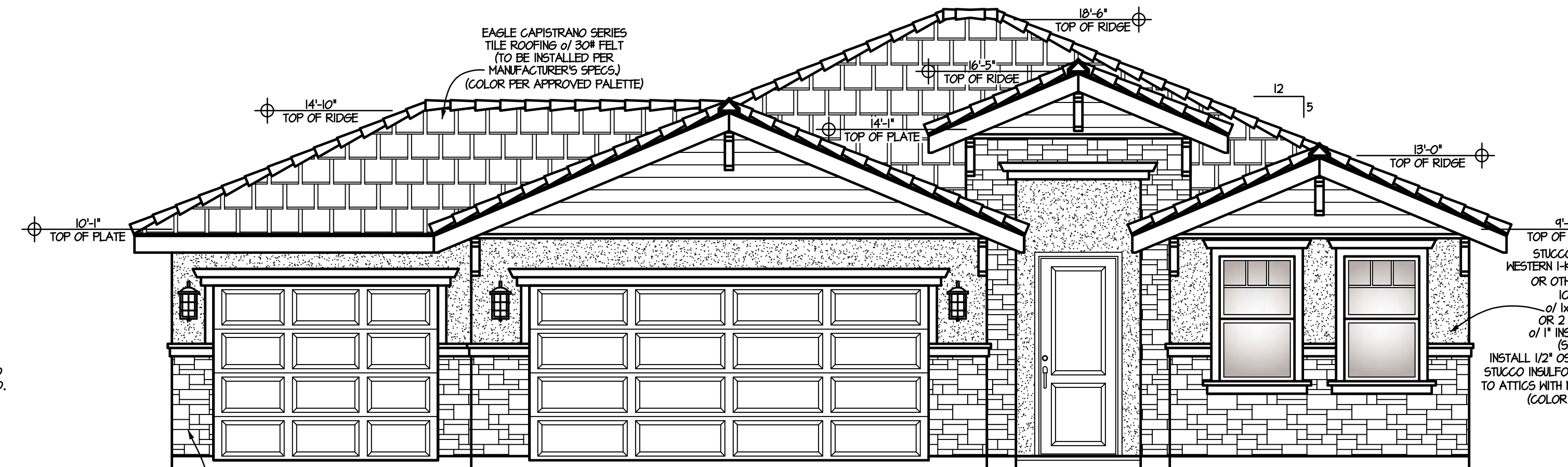
**SOLAR MODULE ZONE NOTES:**

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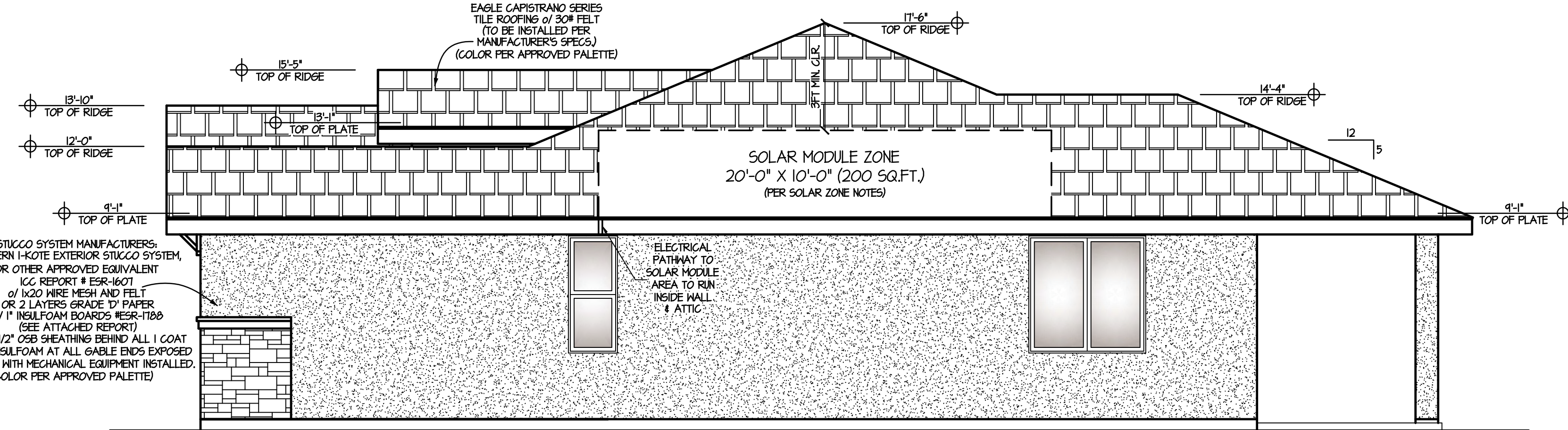
FRONT ELEVATION 'C'

SCALE: 1/4" = 1'-0"



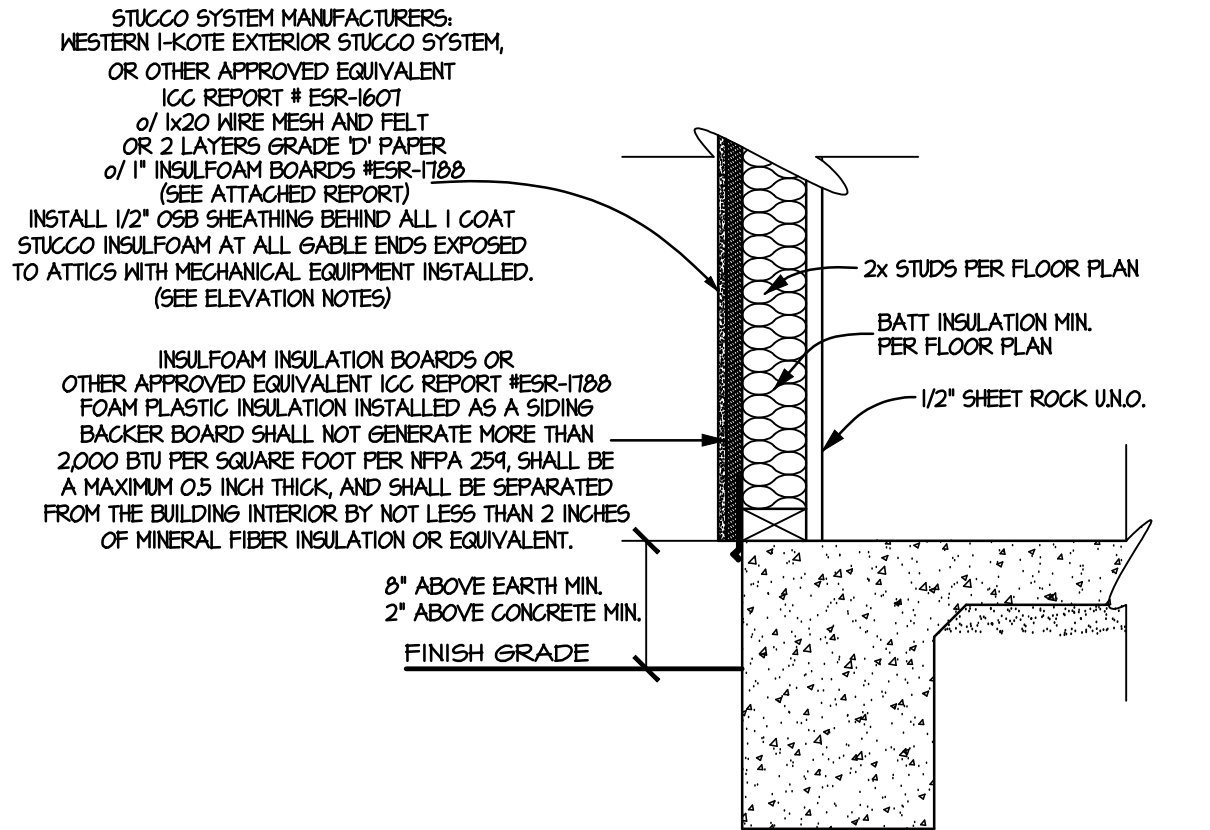
FRONT ELEVATION 'C'

SCALE: 1/4" = 1'-0"

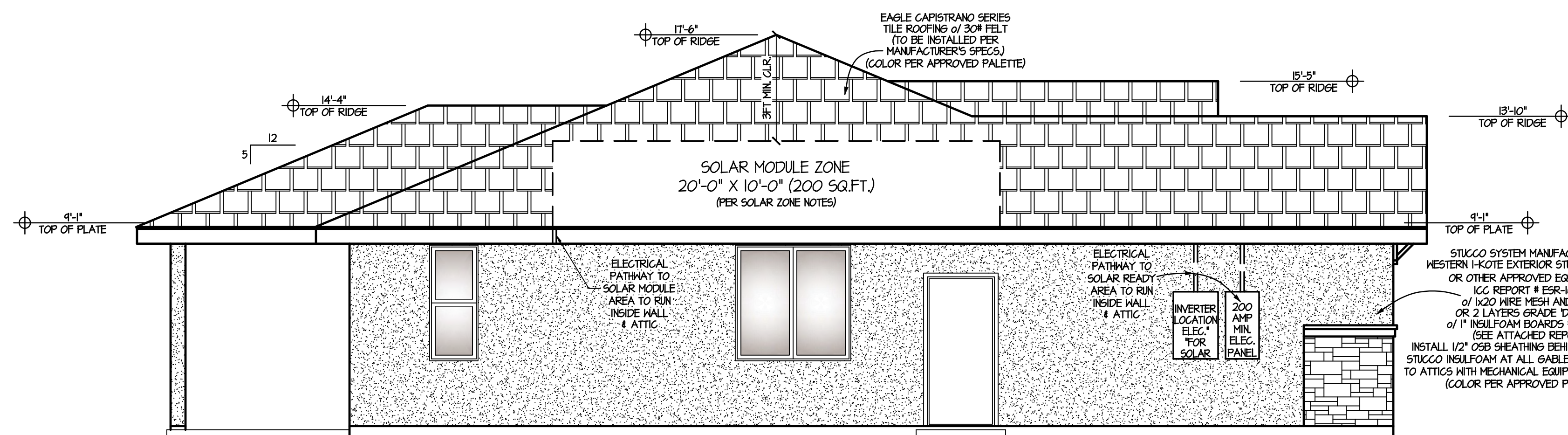


RIGHT SIDE ELEVATION 'C'

SCALE: 1/4" = 1'-0"

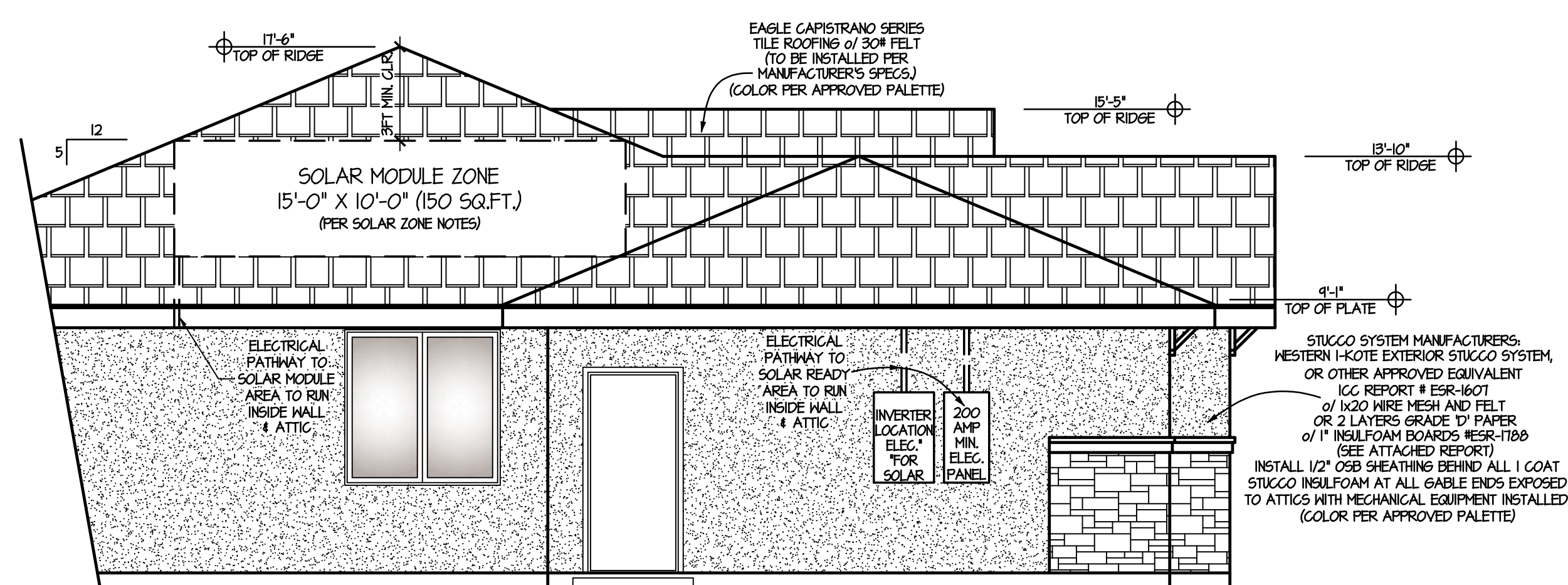


ONE COAT STUCCO DETAIL 'S'



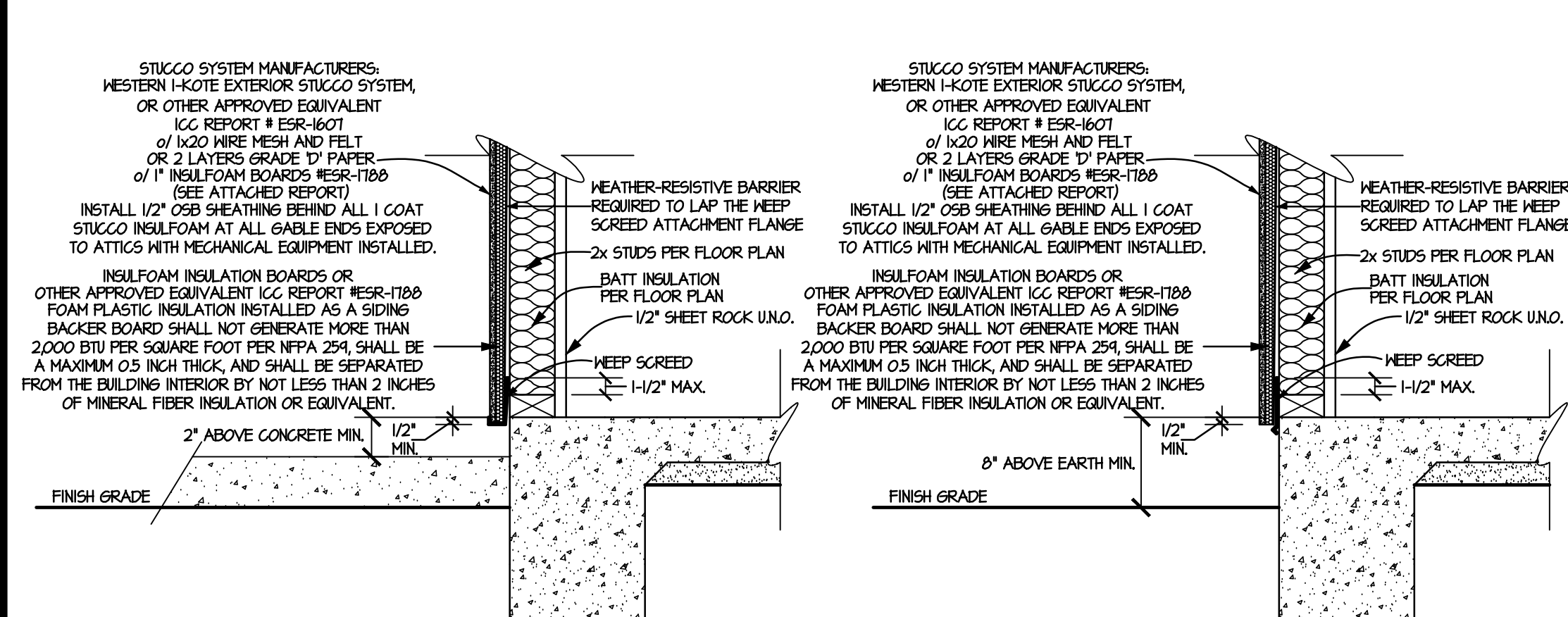
LEFT SIDE ELEVATION 'C'

SCALE: 1/4" = 1'-0"



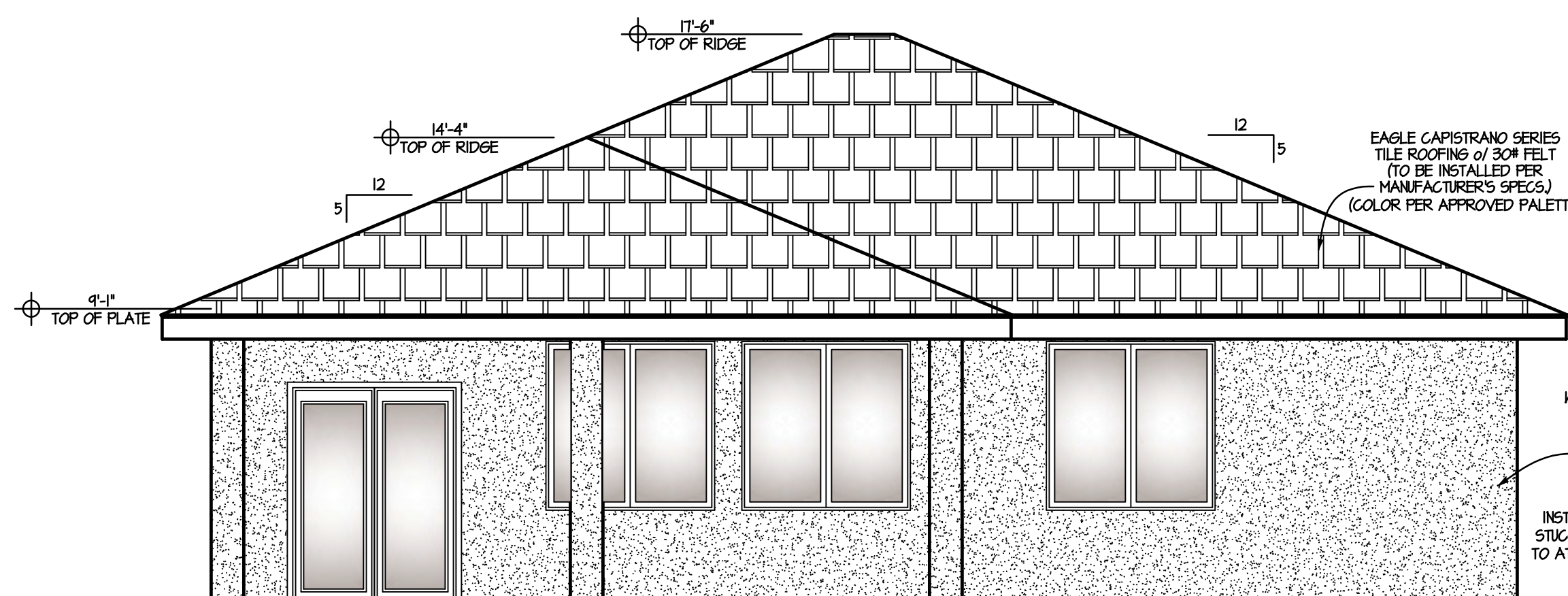
LEFT SIDE ELEVATION 'C'

SCALE: 1/4" = 1'-0"



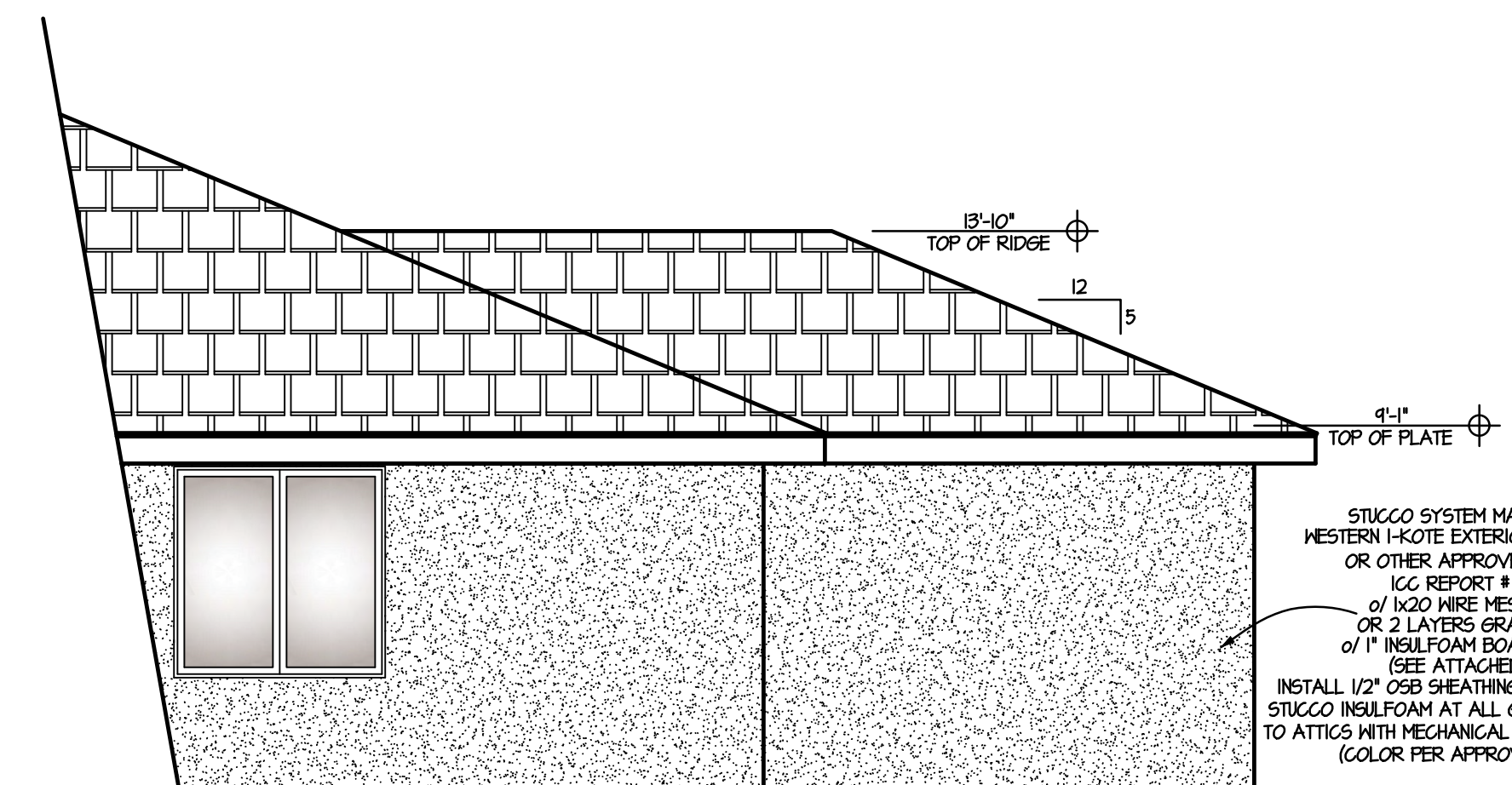
Weep Screed Detail 'A'

Weep Screed Detail 'B'



REAR ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"

# The Piccola 1300 Plan Exterior Elevations 'C'

**Ubaldo Di Ubaldo**  
Architecture, Engineering & Development  
Ubaldo Garcia Hernandez  
Architect Lic. No. C-35319

PO BOX 925  
MADERA, CA 93639

Tel. (559) 871-5534  
Email: villobalado@hotmail.com

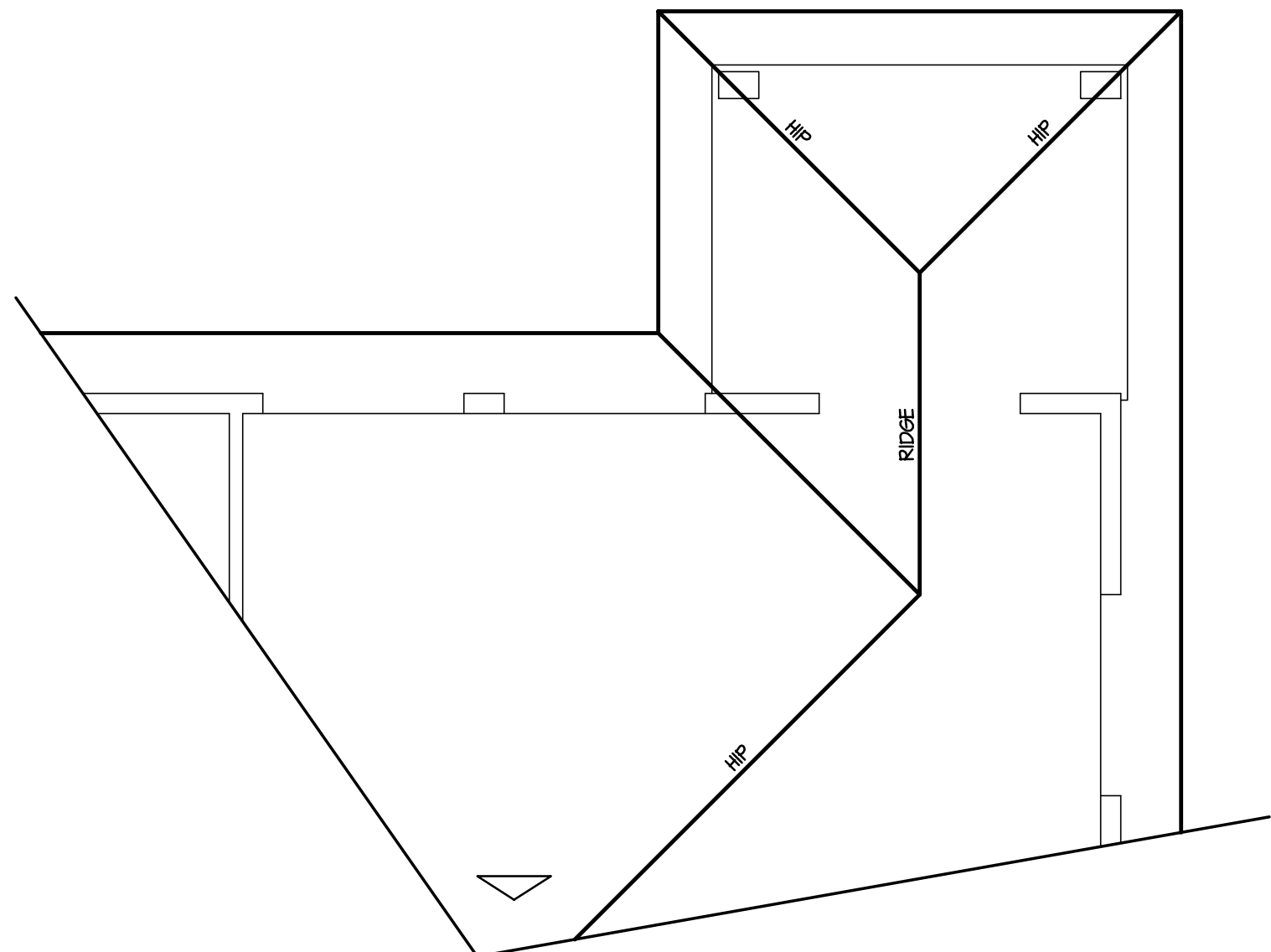
**Dreywood**

**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
Phone: (559) 275-5200  
Email: jcrowndconving.com

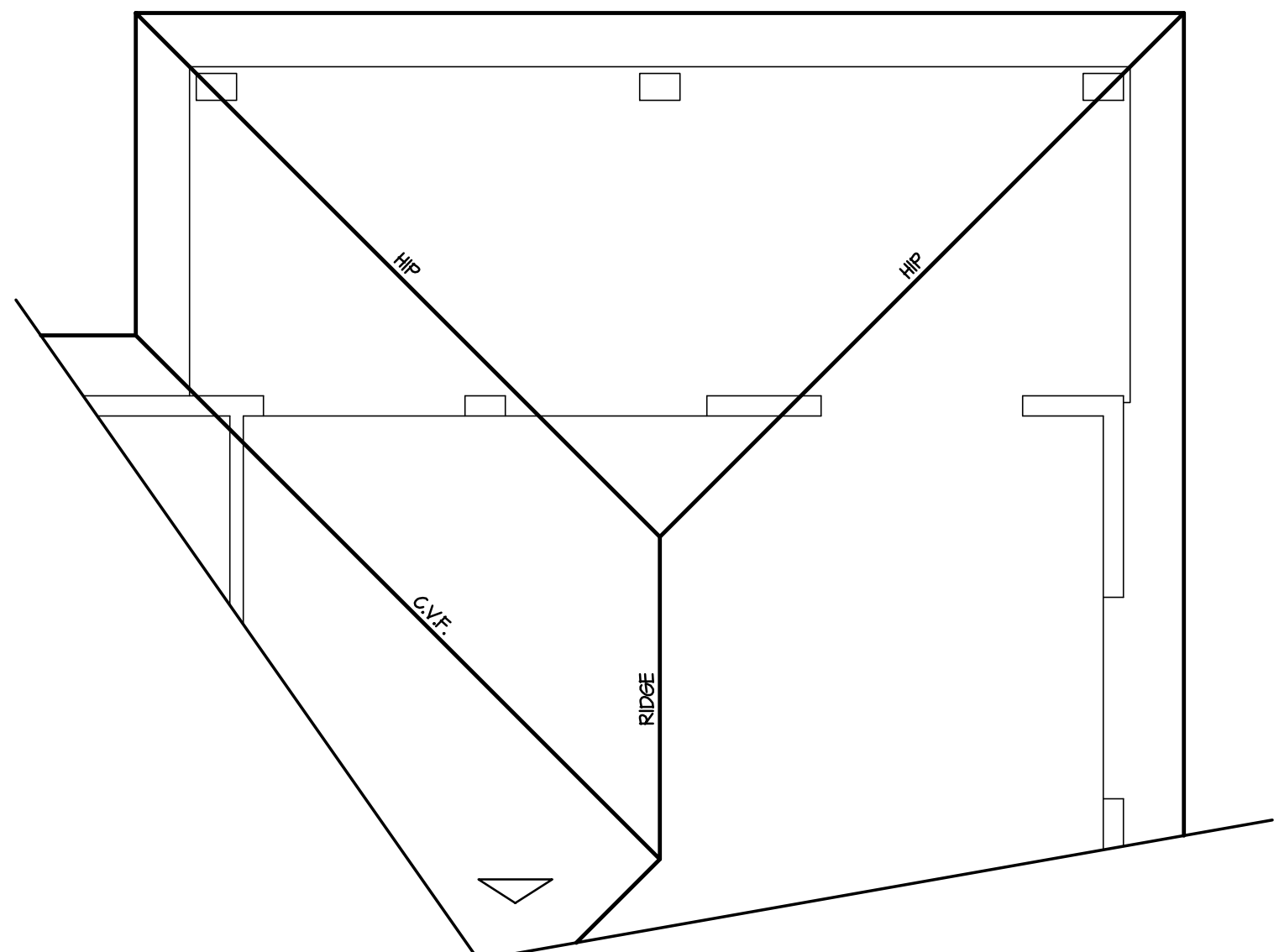
OWNER / BUILDER:

DATE: 11/15/2021  
SCALE: 1/4" = 1'-0"  
JOB NO: 1300 PLAN MADERA  
SHEET: A4

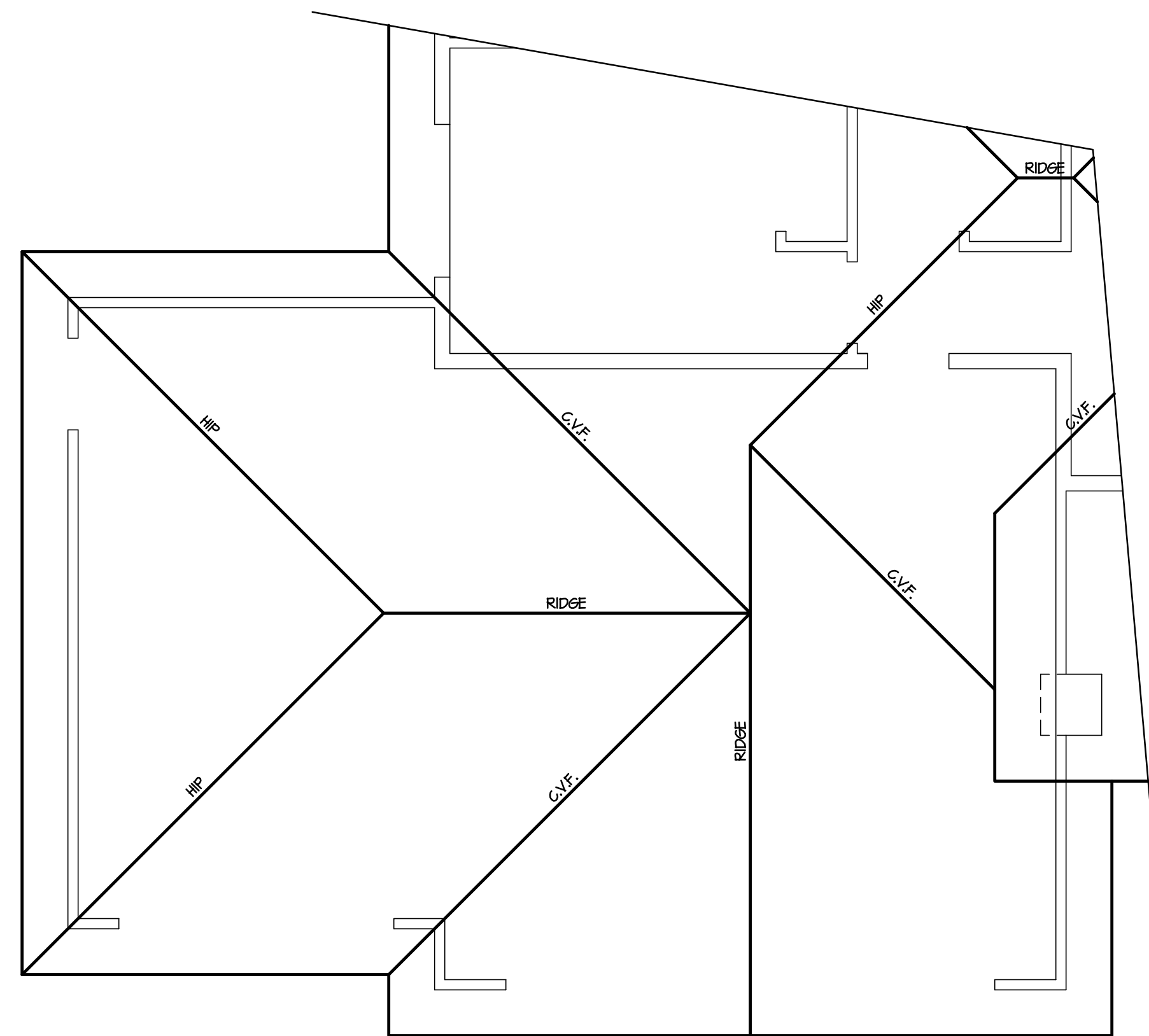




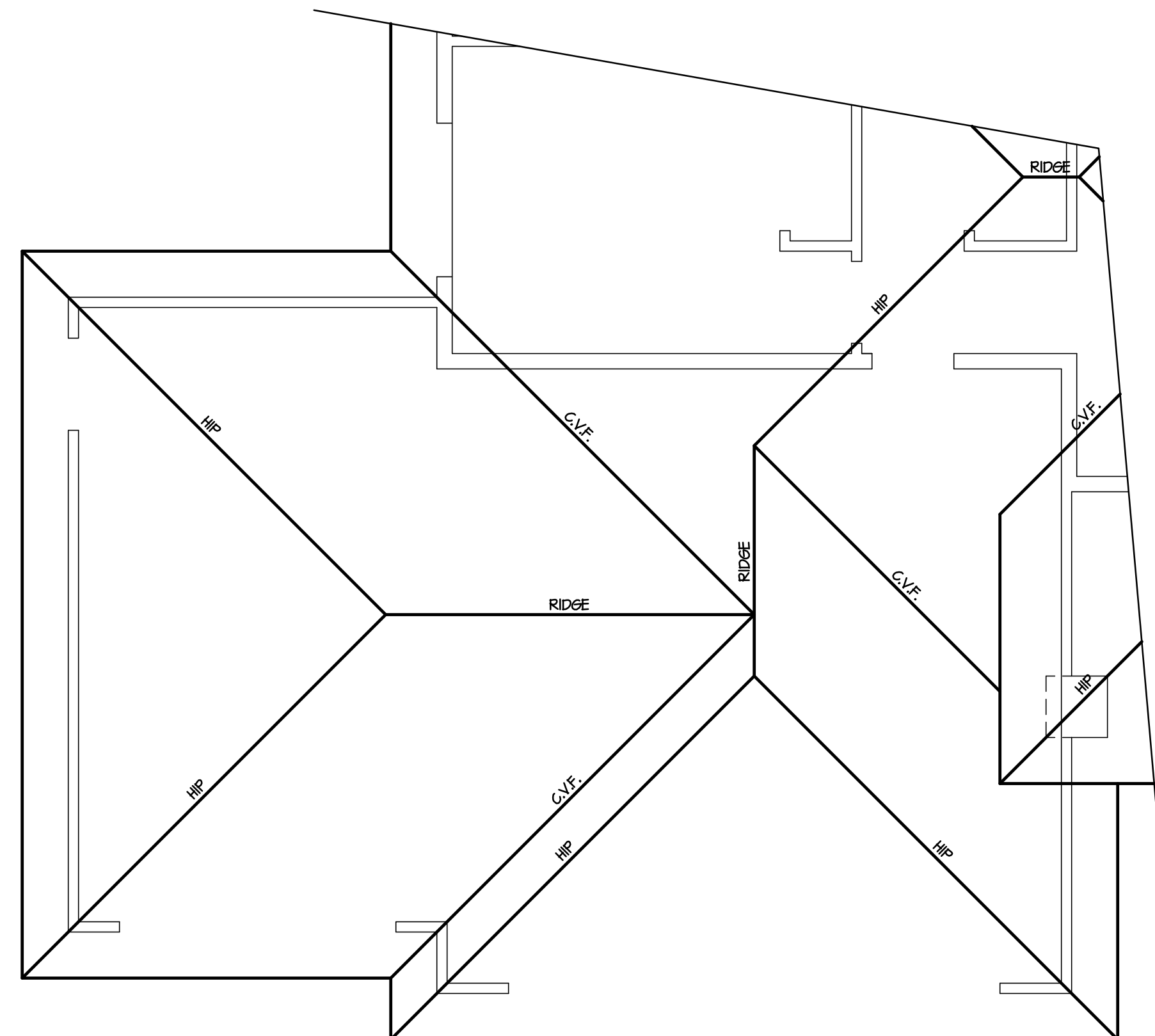
The Piccola 1300 Plan Roof Plan  
Optional Patio '1'



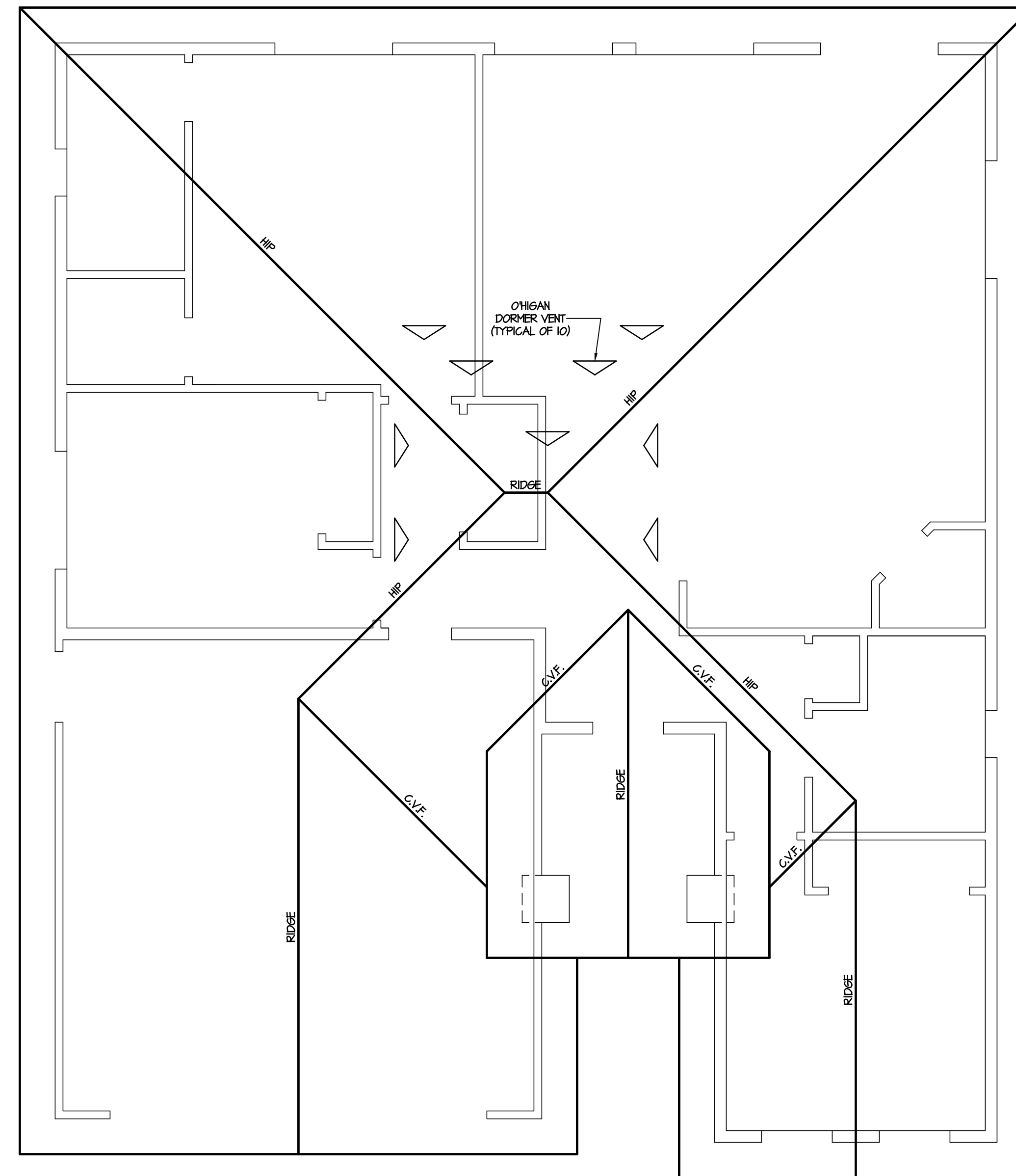
The Piccola 1300 Plan Roof Plan  
Optional Patio '2'



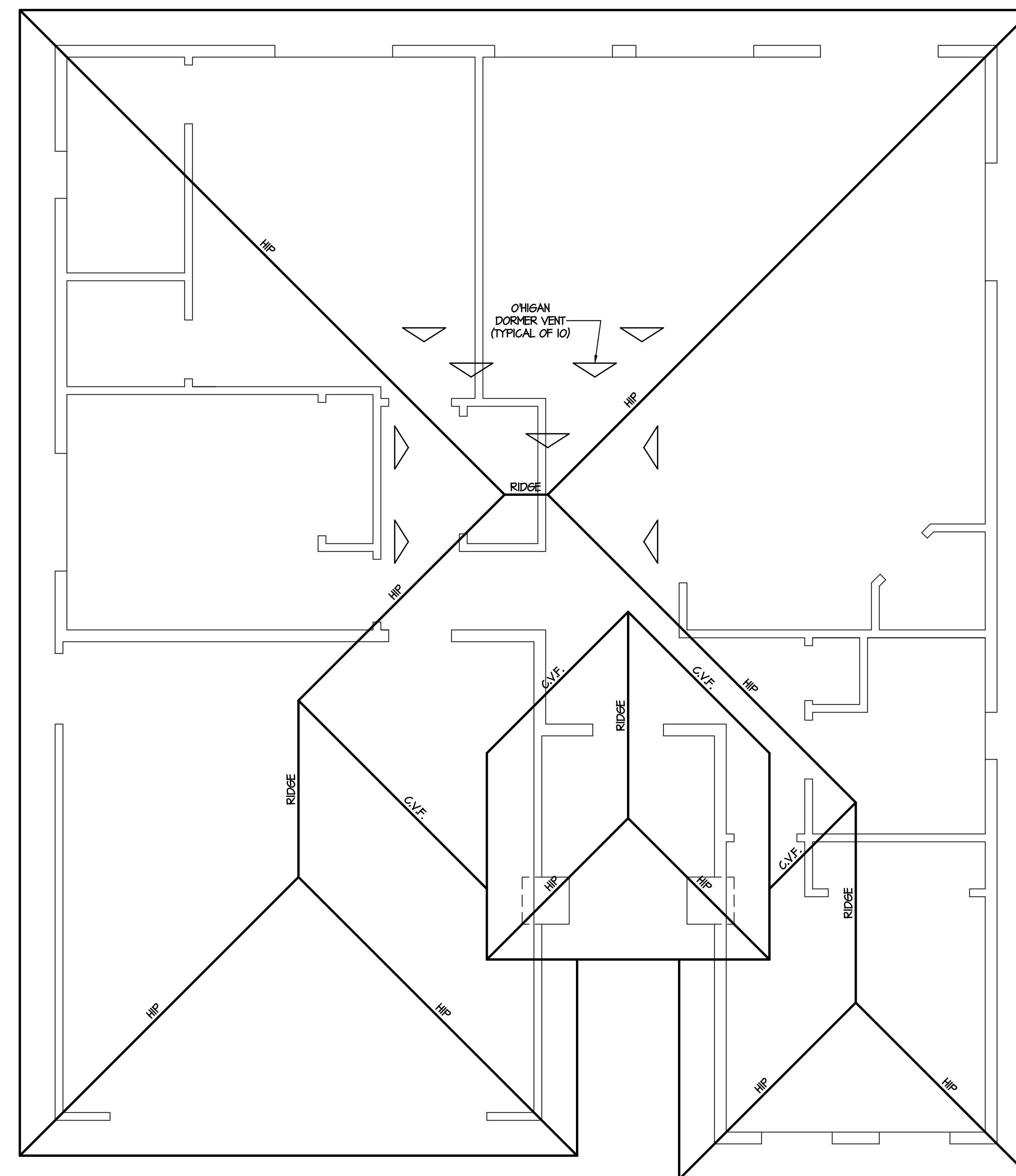
The Piccola 1300 Plan Roof Plan 'A' & 'C'  
w/ optional 3rd Car Garage



The Piccola 1300 Plan Roof Plan 'B'  
w/ optional 3rd Car Garage

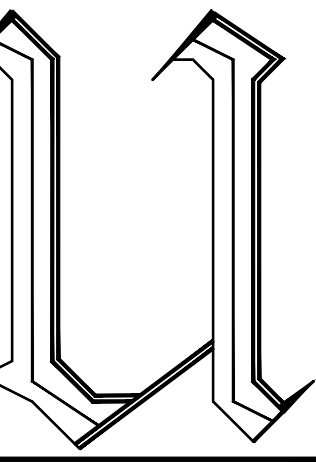


The Piccola 1300 Plan Roof Plan 'A' & 'C'

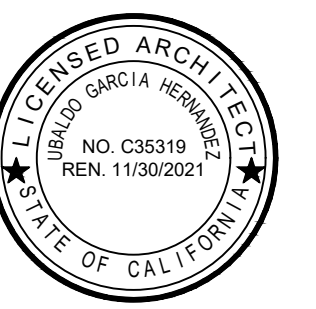


The Piccola 1300 Plan Roof Plan 'B'

# The Piccola 1300 Plan Roof Plan



**Villa Di Ubaldo**  
Architecture, Engineering & Development  
PO BOX 925  
MADERA, CA 93639  
Tel: (559) 871-5534  
Email: villadiubaldo@hotmail.com  
Ubaldo Garcia Hernandez  
Architect Lic. No. C-35319



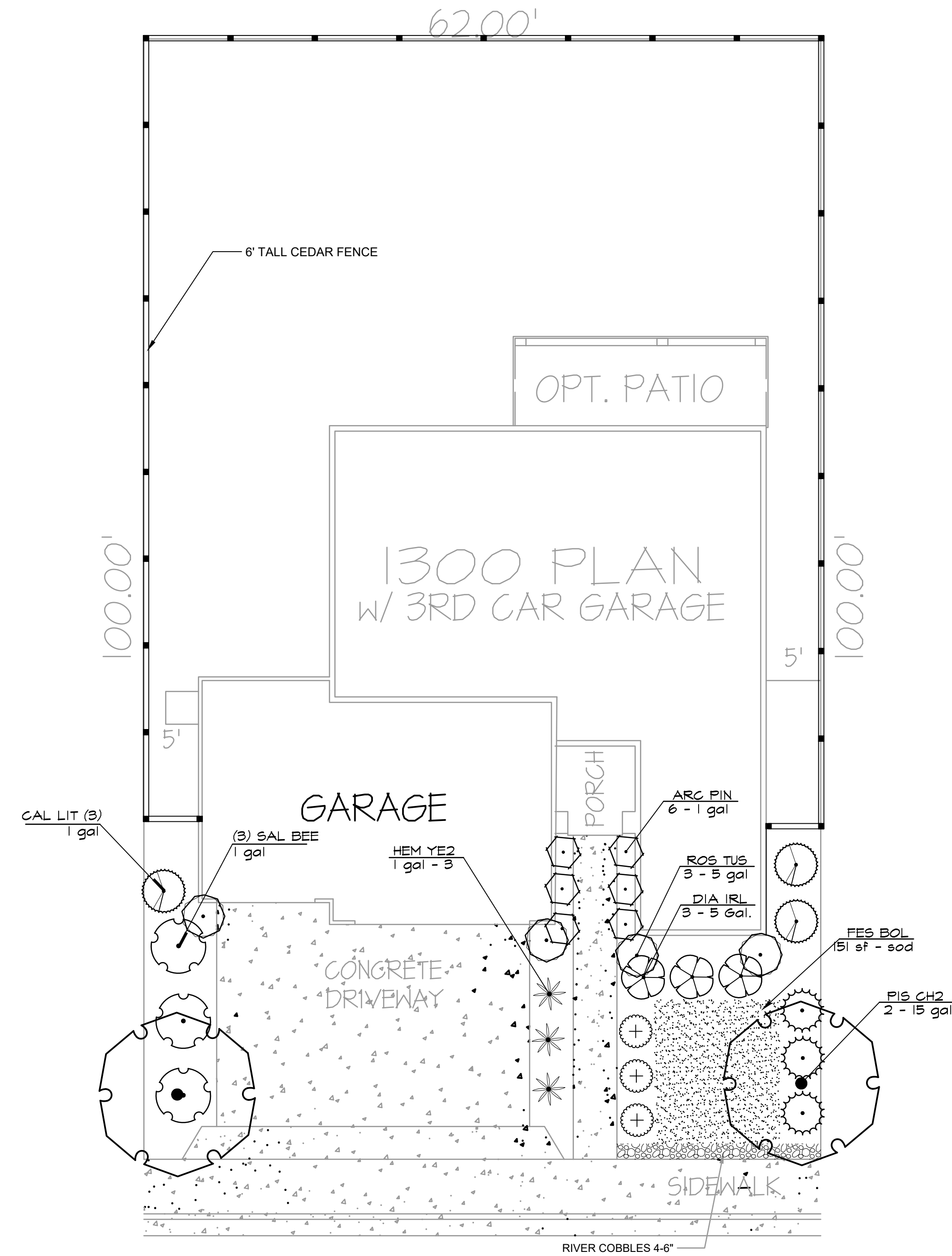
**Trepwood**

**OWNER / BUILDER:**  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
Phone: (559) 275-5200  
Email: jcrowncrownliving.com

DATE  
11 / 15 / 2021  
SCALE  
1/4" = 1'-0"  
JOB NO.  
1300 PLAN MADERA  
SHEET

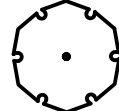








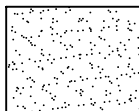
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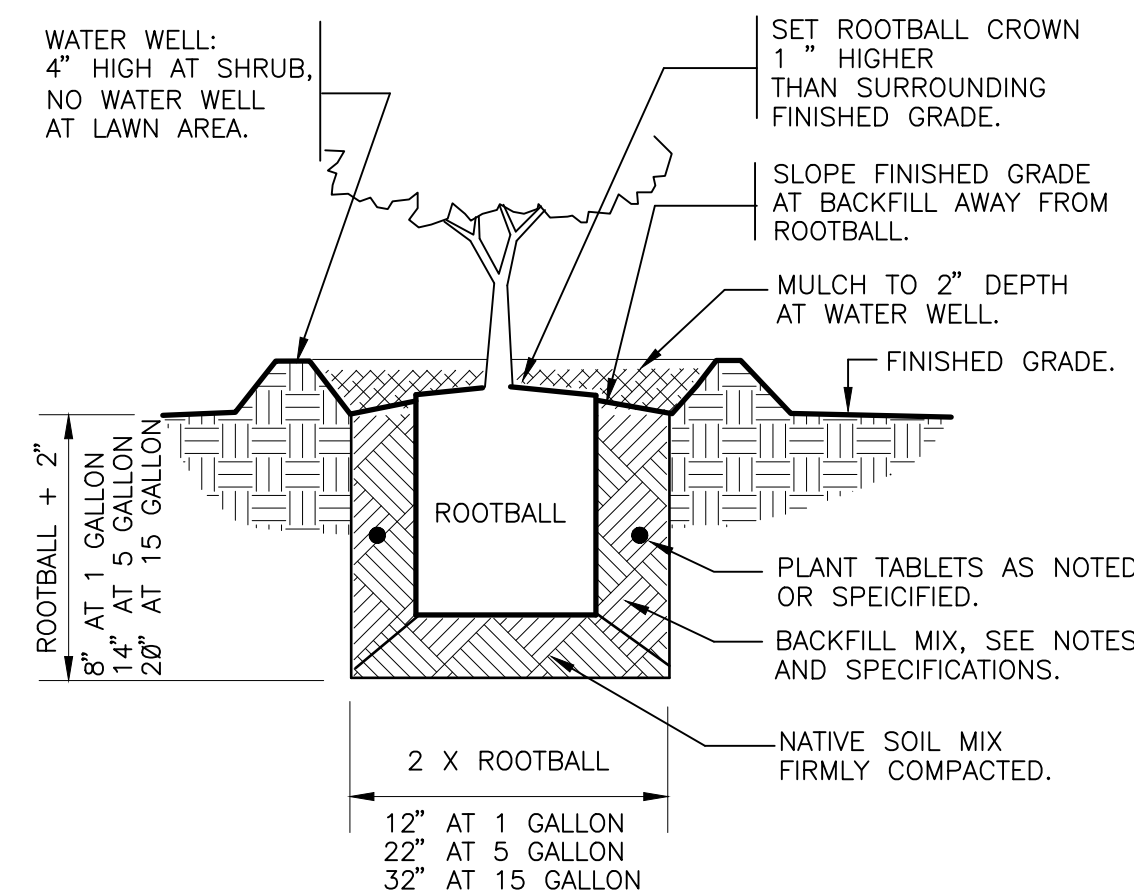


MADERA AVENUE

PLANT SCHEDULE PLAN 1300

TREES	CODE	BOTANICAL / COMMON NAME	CONT	GAL	WUCOLS	QTY	
	PIS CH2	Pistacia chinensis / Chinese Pistache Alternate tree species between Chinese Pistache, Drake Elm, Aleppo Pine, or Desert Museum Palo Verde to provide visual variation in the subdivision.	15 gal	1"	.3	2	
SHRUBS	CODE	BOTANICAL / COMMON NAME	CONT	WUCOLS	WUCOLS	QTY	
	ACH MOO	Achillea x 'Moonshine' / Moonshine Yarrow	1 Gal.	.3		3	
	ARC PIN	Arctotis x 'Pink Sugar' TM / Pink Sugar African Daisy WUCOLS FACTOR 0.2	1 gal	.2		6	
	CAL LIT	Callistemon citrinus 'Little John' / Dwarf Bottle Brush	1 gal	.2		3	
	DIA IRL	Dianella x 'DP401' TM / Clarity Blue Flax Lily WUCOLS FACTOR .3	5 Gal.	.3		3	
	HEM YE2	Hemerocallis x 'Yellow' / Daylily	1 gal	.4		3	
	NEP WAL	Nepeta x faassenii 'Walkers Low' / Walkers Low Catmint	1 Gal.	.3		3	
	ROS TUS	Rosmarinus officinalis 'Tuscan Blue' / Tuscan Blue Rosemary	5 gal	.2		4	
	SAL BEE	Salvia x 'Bee's Bliss' / Sage	1 gal	.2		3	
GROUND COVERS	CODE	BOTANICAL / COMMON NAME	CONT	FIELD2	WUCOLS	SPACING	QTY
	FES BOL	Festuca x 'Bolero Plus' / Bolero Fescue	sod	.8			151 sf

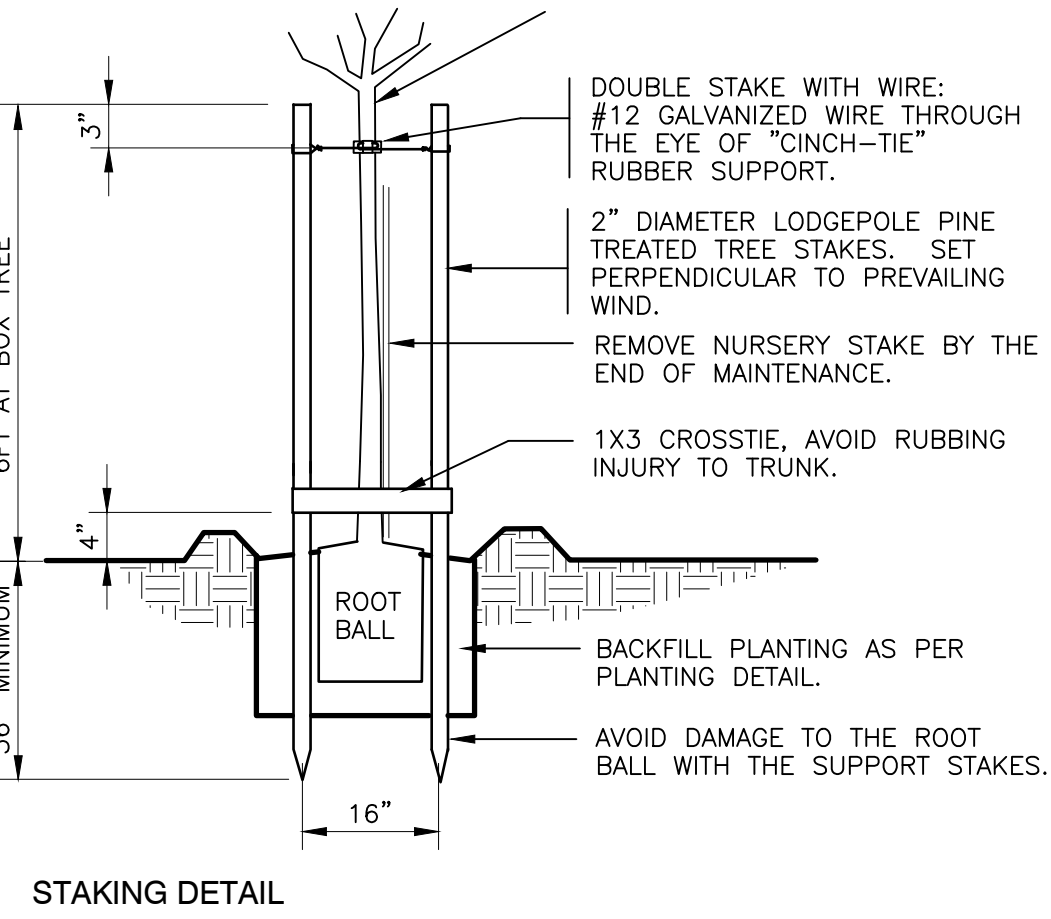
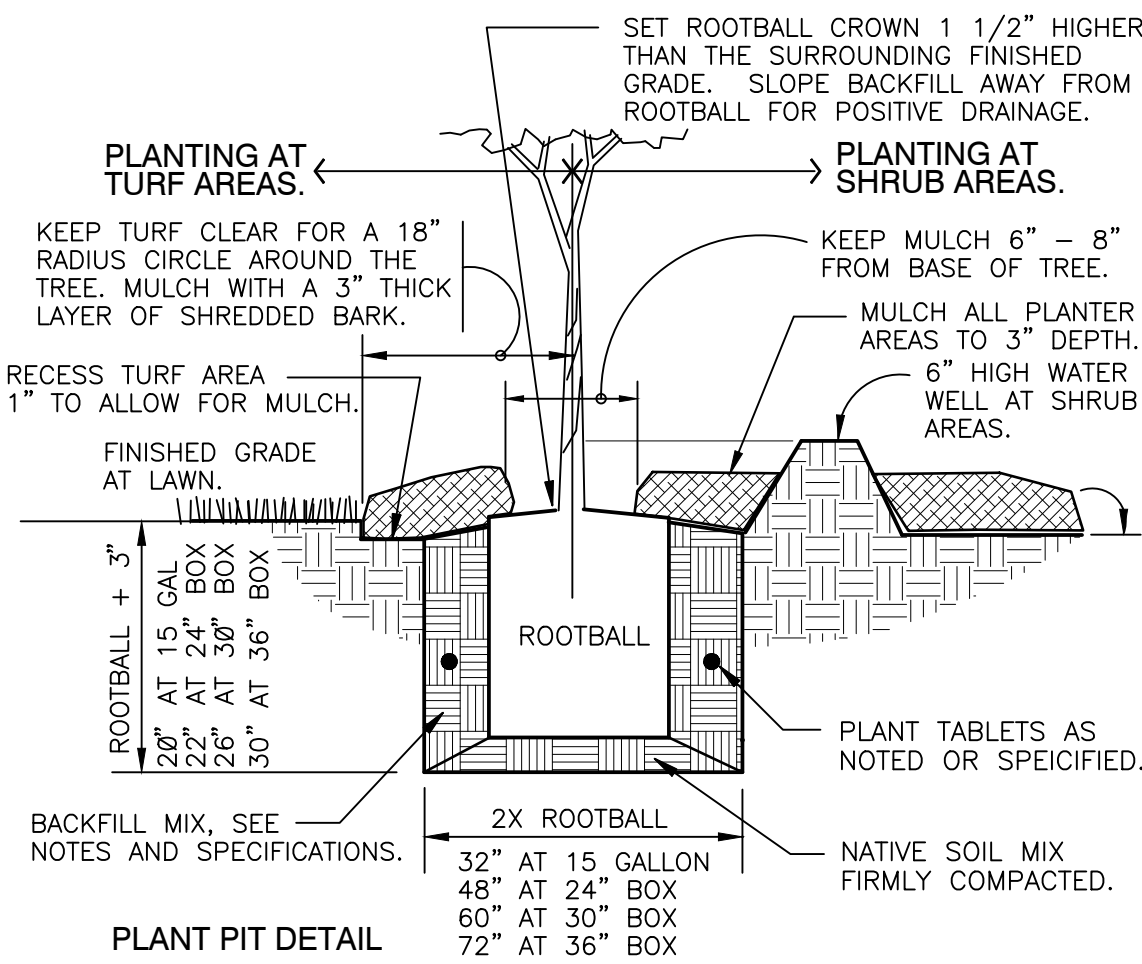
Model Water Ordinance Calculations					
City of Madera			51.50 ETo (inches/year)		
Square Ft. Overhead Spray	181				
Square Ft. Drip	701				
MAWA = [(ETo - Eppt) x (0.62)] x [(0.55 x LA) + ((1.0 - 0.55) x SLA)]					
	14,737.34 Gallons				
	1,970.10 Cubic Feet				
	19.70 HCF				
	0.05 Acre Ft				
	0.01 Million Gallons				
Hydrozone	Type of Irrigation	Plant Water Use	Plant Factor	Hydrozone Area	IIE (PFxHA (sqft)/IE
1. Shrub Planting	Drip	Low	0.30	701	0.81
2. Fescue Turf	Overhead Spray	High	0.80	181	0.75
					193
Results: MAWA=			14,737		
ETWU=			13,753	ETWU Complies with MAWA	



1 SHRUB PLANTING

1" 1'-0"=

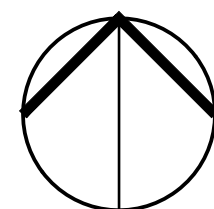
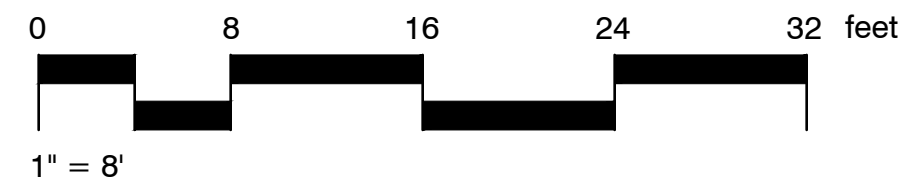
P-CO-07



2 TREE DOUBLE STAKE PLANTING

1" 1'-0"=

FX-PL-FX-TREE-11



PLAN MODEL 1300



BRAD COLE

Landscape Architect  
CA #4518  
371 W San Ramon Ave.  
Fresno, CA 93704  
Ph. (559) 284-4934  
bradc559@gmail.com

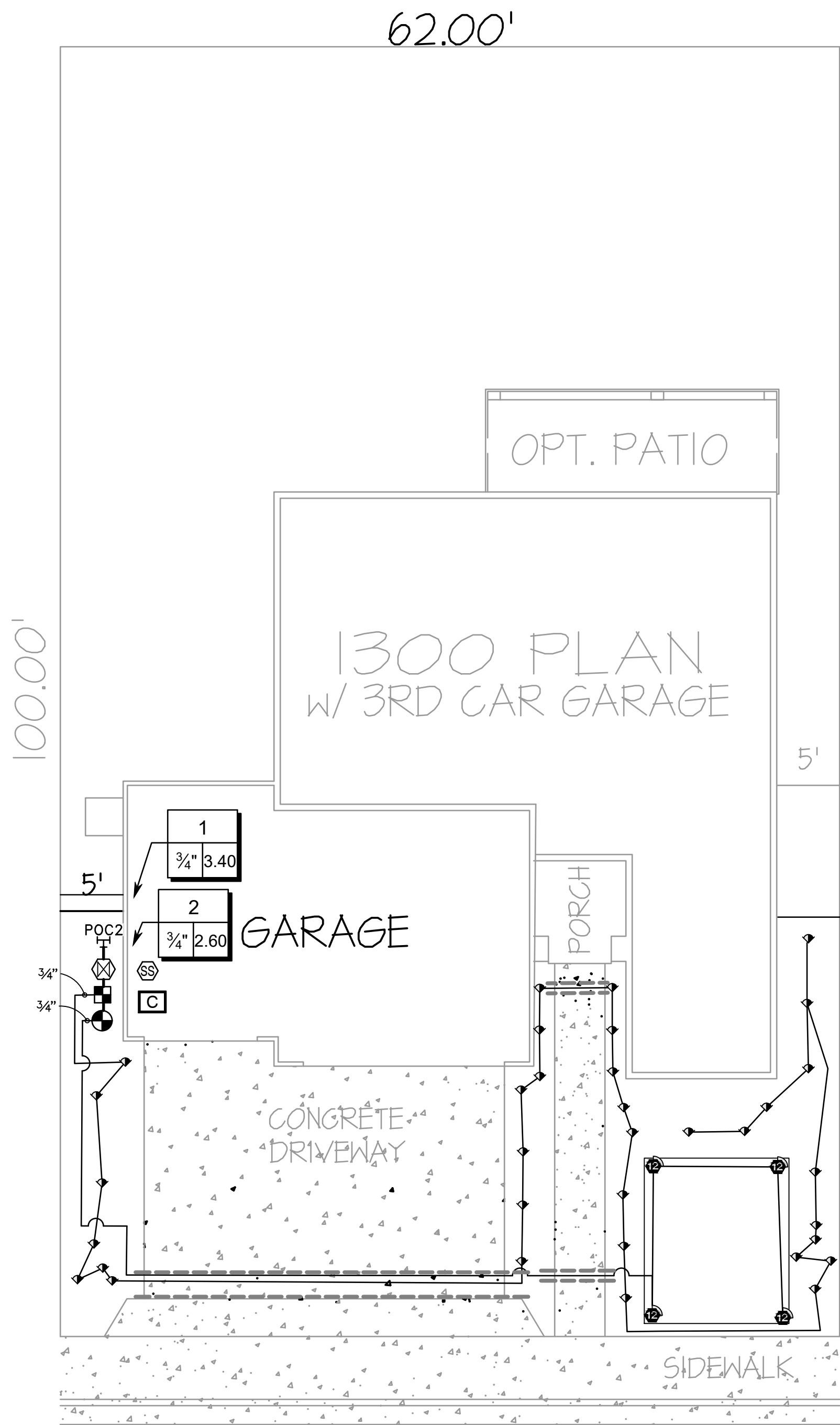
OWNER / BUILDER:  
**Joseph Crown**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
Phone: (559) 275-5200  
Email: j.crown@crownliving.com



Revision	Date	CKBY	Notes

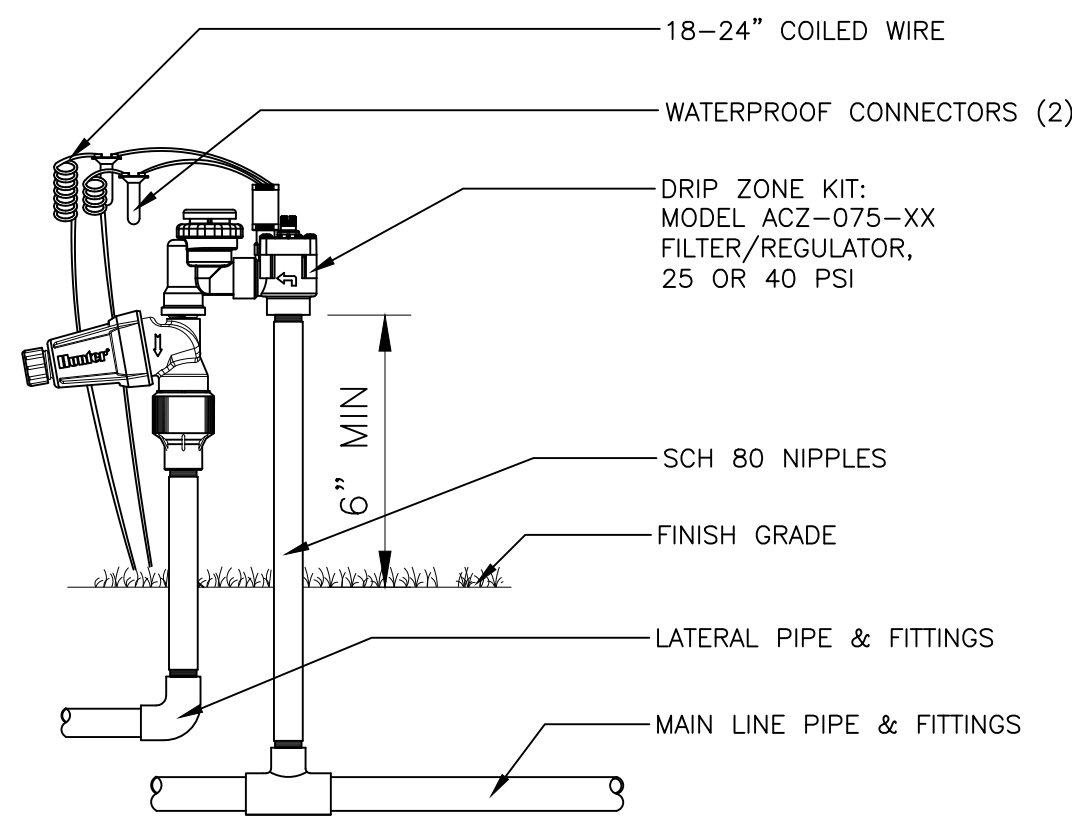
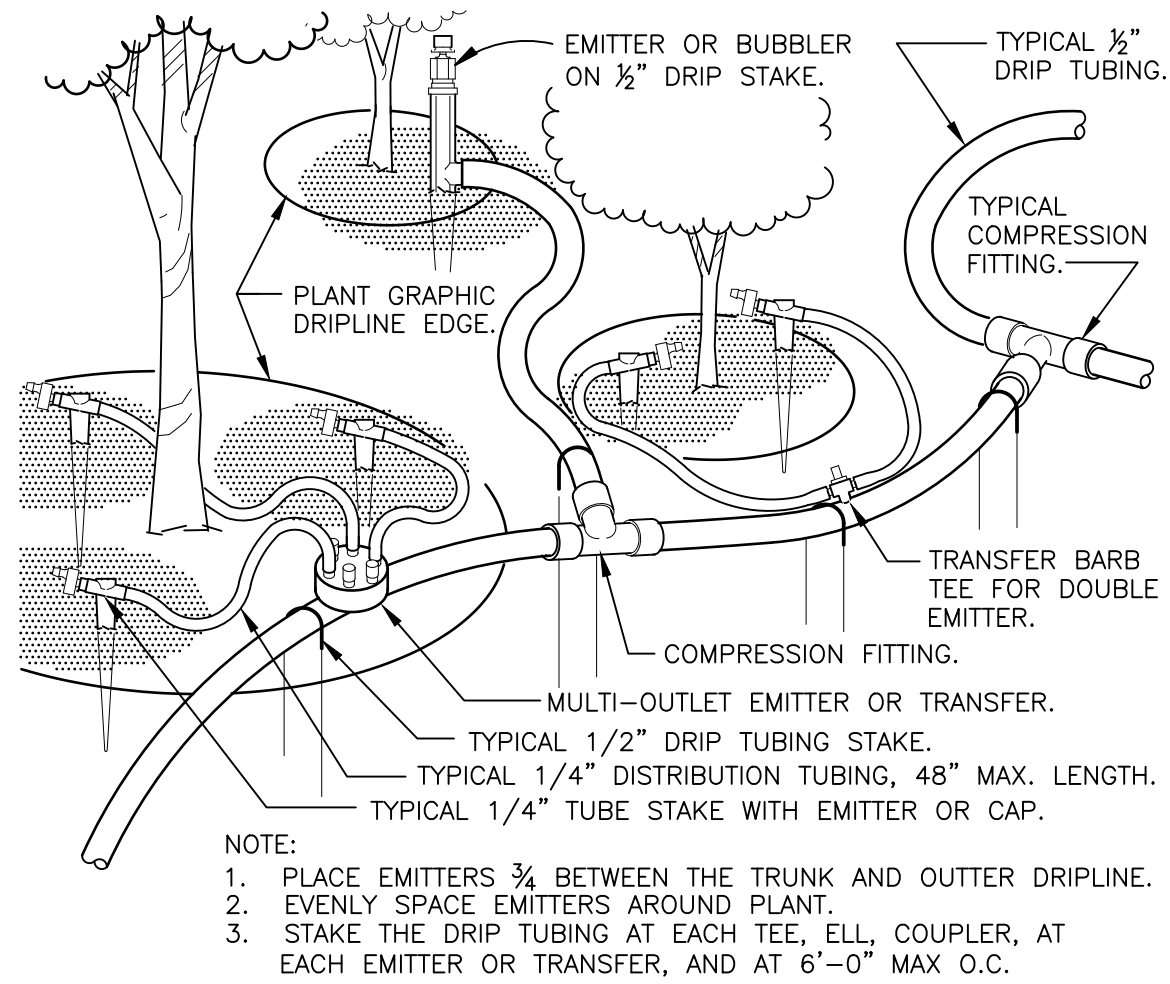
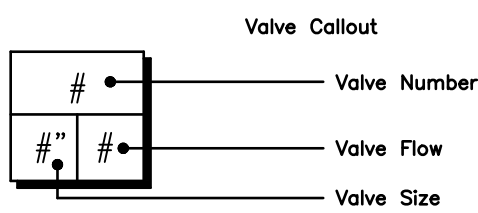
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Drawn By: B. Cole  
Job Number: 22-02-04  
Sheet: L1





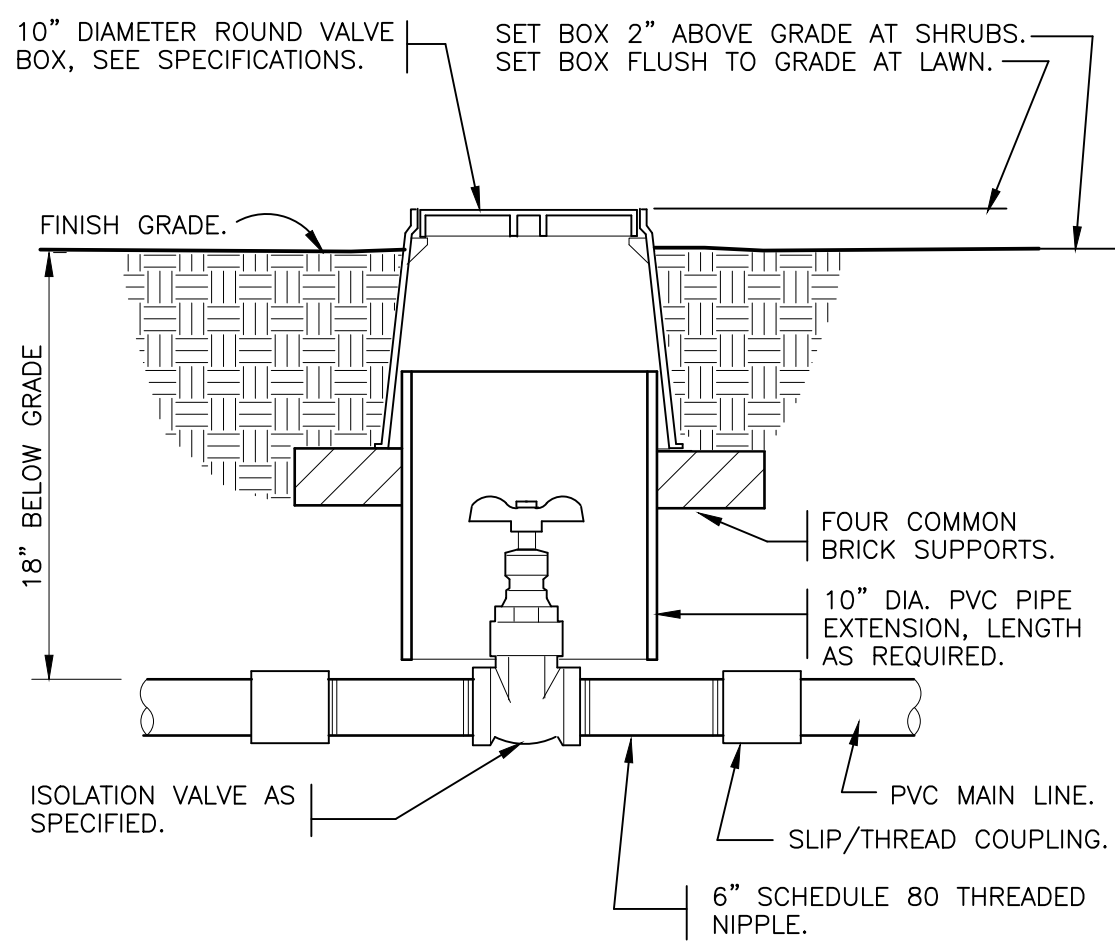
IRRIGATION SCHEDULE PLAN 1300 IRRIGATION

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	PSI
	Rain Bird 1804 12 Series MPR Turf Spray 4.0" Pop-Up Sprinkler with Co-Molded Wiper Seal. 1/2" NPT Female Threaded Inlet.	4	30
SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	
	Hunter ACZ-075-25 Drip control kit featuring a 3/4" PGV-ASV valve, with 3/4" HY075 filter system, and 25psi pressure regulated. Flow range: 0.5 GPM to 15 GPM. With 150 mesh stainless steel screen.	1	
	Hunter HE-B 1.0 GPH Point Source Drip Emitter with Self Piercing Barb. Color coded emitters for flow rates of 0.5, 1.0, 2.0, 4.0, and 6.0 GPH. Can be inserted into 1/2" and 3/4" tubing and have pressure compensating from 15-50 PSI. Optional diffuser cap (HE) available.	34	
SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	
	Hunter PGV-ASV 3/4" and 1" Plastic Electric Remote Control Valve, with removable Anti-Siphon Cap, and Flow Control, for Residential Use. Inlet/Outlet: Female NPT Threads.	1	
	Nibco T-113 Class 125 bronze gate manual control valve with wheel handle, same size as mainline pipe diameter at valve location. Size Range - 1"	1	
	Hunter HC-6 6 station controller with Wi-Fi connection	1	
	Hunter Solar-Sync Solar, rain freeze sensor with outdoor interface, connects to Hunter PCC, Pro-C, and I-Core Controllers, install as noted. Includes 10 year lithium battery and rubber module cover, and gutter mount bracket. Wired.	1	
	Irrigation Lateral Line: PVC Schedule 40	298.4 l.f.	
	Irrigation Mainline: CPVC Schedule 40	6.4 l.f.	
	Pipe Sleeve: PVC Class 315 SDR 13.5	41.8 l.f.	

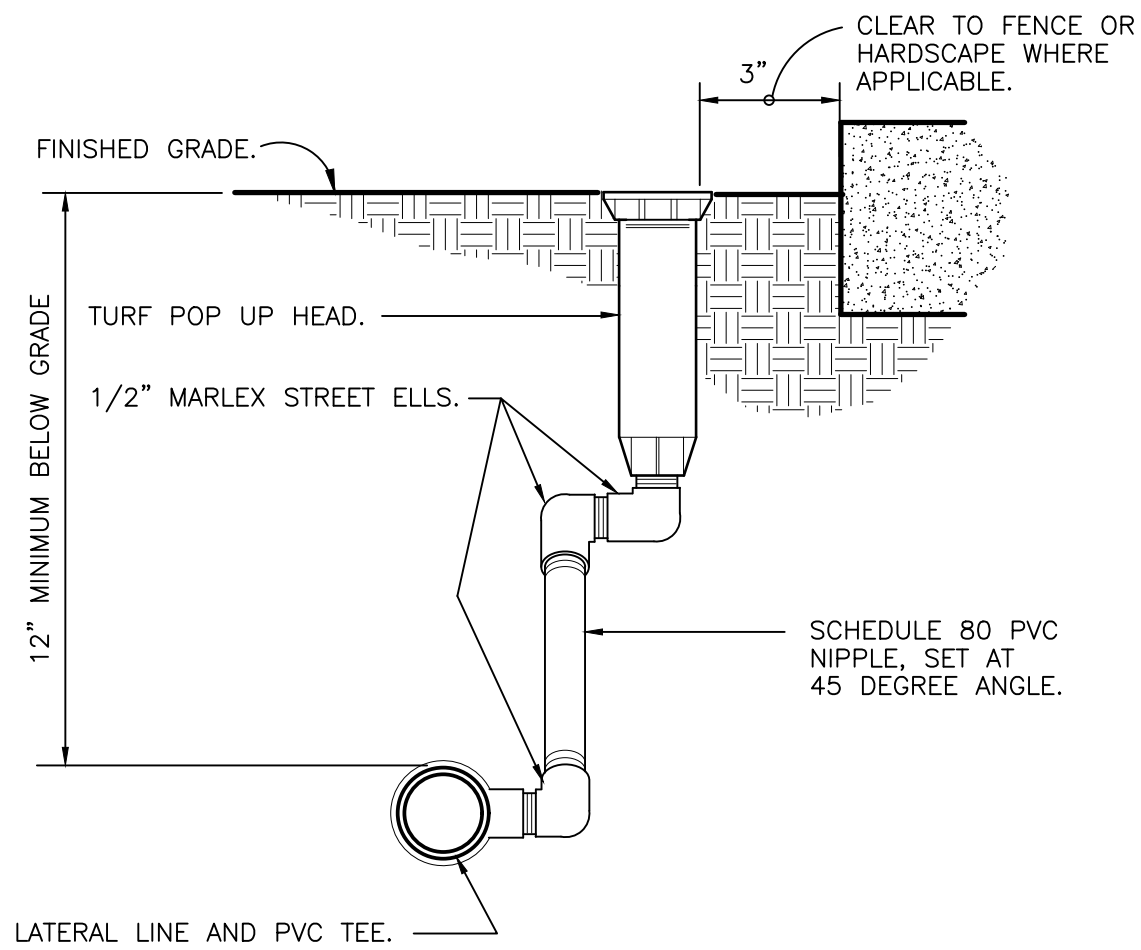


1 TYPICAL DRIP TUBING  
1 1/2" = 1'-0" FX-IR-FX-DRIP-01

2 ACZ-075 VALVE WITH SCH 80 NIPPLES  
1 1/2" = 1'-0" FX-IR-HUNT-VALV-55

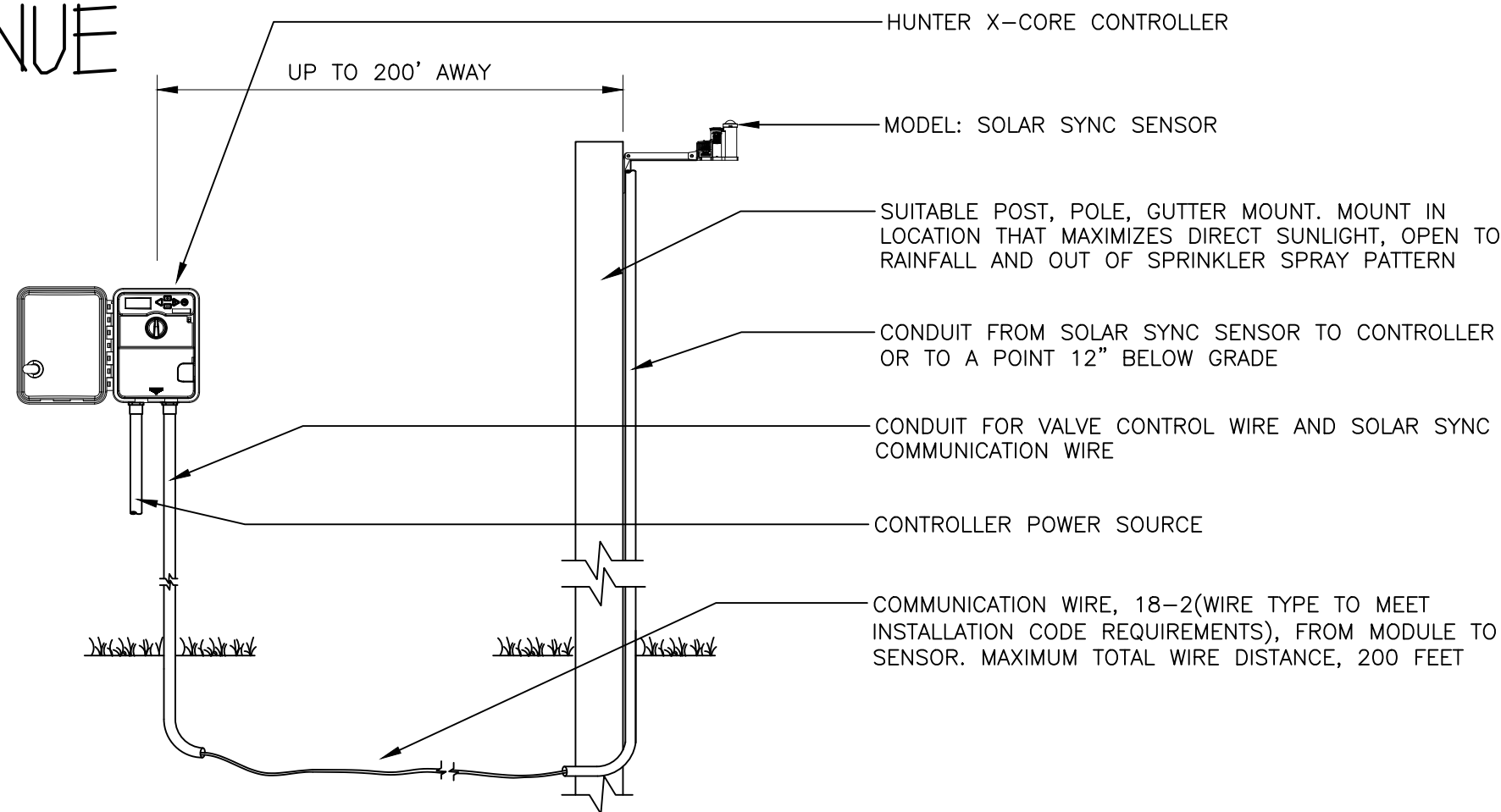


3 BRASS ISOLATION VALVE  
1 1/2" = 1'-0" FX-IR-FX-ISOV-01



4 TURF SPRAY MARLEX ASSEMBLY  
3" = 1'-0" FX-IR-FX-HEAD-04

MADERA AVENUE

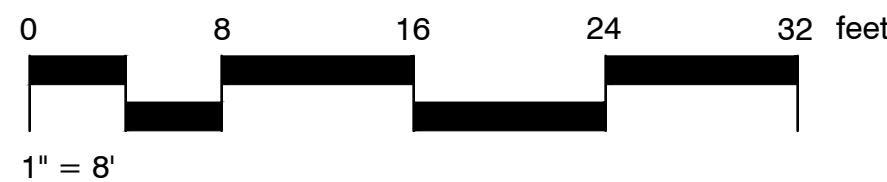
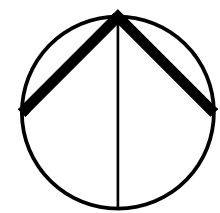


5 SOLAR SYNC SYSTEM WITH X-CORE  
1" = 1'-0" FX-IR-HUNT-SENS-24



"I HAVE COMPLIED WITH THE CRITERIA OF THE WATER EFFICIENCY LANDSCAPE REQUIREMENTS ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE IRRIGATION DESIGN PLAN"

SIGNATURE DATE



PLAN 1300 IRRIGATION PLAN

BRAD COLE

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\*  
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Revision	Notes	Date	CKBY

Date: 02-27-2022  
Scale: as noted  
Drawn By: B. Cole  
Job Number: 22-02-04  
Sheet:

L2



Model Efficient Landscape Ordinance (MWELO) Notes:

1. These plans have been prepared to be in compliance with the State–mandated Water Model Efficient Landscape Ordinance. (MWELO). The following notes reference the requirements of the ordinance and the responsibility of the contractor to install the landscape per plans, details, and notes; provide the required documentation to the local agency and provide follow–up corection as required to meet the water efficiency requirements.
2. The landscape contractor shall coordinate with the local jurisdiction to determine who will review and receive the MWELO documentation that is required to be provided by the contractor.

Landscape Documentation Package

1. Project information and signatures– The signature of the landscape architect on these landscape plans is applicable to the statement– "I agree to the best of my ability to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Document Package".
2. Water Efficient Landscape Worksheet– See MAWA and ETWU, as well as hydro–zone information table on sheet P–4.
3. Soil management report– See Notes and requirements as described below.
4. Landscape Design Plan – See Planting Plans and details contained within this set of documents. Standard details per the city of Kingsburg when referenced in this set of documents are considered part of the documents.
5. Irrigation Design Plan – See irrigation plans and details contained within this set of documents.
6. Grading Design Plan – To be provided by the civil engineer – See civil engineer’s plans.

Soil Management Report

1. After mass grading the contractor shall provide for a soil analysis that shall comply with the requirements provided below. The analysis report is to be forwarded to the landscape architect, owner, and governing jurisdiction.
2. Soil samples shall be collected in accordance with the laboratory protocol including adequate sampling depth.
3. At least one sample shall be provided for each 20,000 sf of landscape unless otherwise noted by the landscape architect. Samples shall be taken from different areas of the site as directed by the landscape architect.
4. The Soil Analysis shall include the following:
  - Soil Texture
  - Infiltration Rate (determined by lab test or soil texture infiltration rate table).
  - Ph
  - Total soluble salts
  - Sodium
  - Percent organic mater
  - Recommendations for soil amendments, fertilizer, etc. for the type of landscape planting proposed.
5. Soil Analysis shall be conducted by an approved soil testing lab. The following are acceptable (but not required) labs:  
Sunland Analytical, 11419 Sunrise Gold Circle, Suite 10, Rancho Cordova, CA 95742, (916) 852–8557, [www.sunland-analytical.com](http://www.sunland-analytical.com)  
Soil and Plant Lab, 1101 S. Winchester Blvd, Suite G–173, San Jose, CA 93128, (408) 727–0330, [www.soilandplantlaboratory.com](http://www.soilandplantlaboratory.com)  
Soil and Plant Lab, 4741 East Hunter Ave. Suite A, Anaheim, CA 92807, (714) 282–8777, [www.soilandplantlaboratory.com](http://www.soilandplantlaboratory.com)
6. The recommendations of the soil analysis are to the implemented in the landscape soil preparation. The contractor shall provide documentation prior to planting, verifying that recommendations have been implemented to the landscape architect and the governing jurisdiction.

Landscape Design (Planting)

1. The landscape has been designed and plants selected to be compliant with the requirement of the MWELO. The contractor shall not make changes without written approval by the landscape architect. If the contractor deviates from the plan and it is not acceptable to the landscape architect, the contractor will be required to make changes at his/her expense to bring the landscape into compliance.
2. Plants have been placed in 'hydrozones' of similar water use requirements. The extent of the

- hydrozones are delineated by the groups of irrigation circuits as listed in the Hydrozone Table, included with these plans.
3. Turf is not allowed on slopes greater than 25% (4:1)
  4. Mulch is required in all planting areas except for turf, creeping or rooting groundcovers, direct seeding applications, cobble areas, or other areas specifically noted on the plans. The mulch shall be minimum of 3", but the depth as listed in the planting legend shall take priority.
  5. Mulch shall be Gorilla Hair, natural in color. Available at Rosenbalm’s Rockery , 1393 So. Golden State Blvd. Madera, CA 93637 (559) 673–1629
  6. Soil amendments shall be incorporated per the soil report and shall achieve a friable condition.
  7. For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top 6 inches of soil are exempt from adding compost and tilling.
  8. Compost shall be derived from green material consisting of chipped, shredded, or ground vegetation or clean, processed, recycled wood products or a Class A, exceptional quality biosolids composts, as required by the United States Environmental Protection Agency (EPA), 40 CFR, Part 503c regulations or a combination of green material and biosolids compost. The compost shall be processed or completed to reduce weed seeds, pathogens, and deleterious material, and shall not contain paint, petroleum products, herbicides, fungicides, or other chemical residues that would be harmful to plant or animal life. Other deleterious material, plastic, glass, metal, or rocks shall not exceed 0.1 percent by weight or volume.A minimum internal temperature of 57 degrees C shall be maintained for at least 15 continuous days during the composting process. The compost shall be thoroughly turned a minimum of 5 times during the composting process and shall go through a minimum 90–day curing period after the 15–day thermophilic compost process has been completed. Compost shall be screened through a maximum 9.5–mm screen. The moisture content of the compost shall not exceed 35 percent. Compost products with a higher moisture content may be used provided the weight of the compost is increased to equal the compost with a moisture content of 35–40 percent. Moist samples of compost on an as–received basis shall be dried in an oven at a temperature between 105 degrees C and 110 degrees C until a constant dry weight of the sample is achieved. The percentage of moisture will be determined by dividing the dry weight of the sample by the moist weight of the sample and then multiplying by 100. Compost will be tested for maturity and stability with a Solvita test kit. he compost shall measure a minimum of 6 on the maturity and stability scale
  8. The signature on the landscape plans is applicable to the statement– "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan."

Grading Design

1. See the grading and drainage plan as prepared by the civil engineer. The landscape contractor shall maintain the drainage patterns as specified in the grading plans.
2. The site has been graded so that irrigation and normal run–off remains within the property lines, unless otherwise noted on the grading plans.
3. The landscape areas may include bioswales or filtration swales. The landscape contractor shall install these per the requirements of the civil engineer’s plans and details with planting per these plans. Any modifications must be approved in writing by the civil engineer and the landscape architect.

Irrigation Design

1. The irrigation water service shall be on a separate meter than the domestic service.
2. The irrigation controller (clock) shall be a 'smart' controller using evapotranspiration or soil moisture sensor data to automatically adjust run times based on landscape area water needs.
3. The irrigation system has been designed for each emission device to operate within the manufacturer’s recommended pressure range for optimal performance. If the water pressure at the service connection is different than what is shown on the plans the contractor shall notify the landscape architect prior to the installation of the irrigation system. Contractor shall check available water pressure before any irrigation installation.
4. Pressure regulators or booster pumps shall be installed if needed to modify available pressure for the optimal performance of the irrigation emission devices. See specification on the plans and refer to note #3 above.
5. A rain sensor shall be installed and tied to the controller – See plan for selection.
6. Gate valves(s) shall be installed directly downstream of the service connection(s).
7. An approved backflow preventer shall be installed at the irrigation service connection(s). See plan.
8. Check valves shall be installed in all heads at the low points of the circuit where water within the piping may drain out of the head when the system is done operating – See plan.
9. The irrigation circuits have been designed to correspond to the planting hydrozones. Changes to the irrigation layout and types of emission devices are no to be made without the written consent of the landscape architect.
10. The overall irrigation system has been designed to correspond to the planting hydrozones. Changes to the irrigation layout and types of emission devices are not to be made without the written consent of the landscape architect.
11. The irrigation system has been designed so that each circuit has matched precipitation rates

- within the circuit and high distribution uniformity. The contractor shall not substitute without written consent of the landscape architect.
12. Swing joints shall be installed on all pip–up heads per the plans and details.
  13. Areas less than 8’ in width have been irrigated with subsurface, drip, or low volume irrigation. If construction site modifications reduce spray irrigated planter areas less than 8’ contact the landscape architect.
  14. Overhead spray irrigation heads and nozzles are not allowed within 24” of non–permeable paving that drains into landscape before entering the storm drain system.
  15. Sloped planting areas greater than 25% (4:1) have been designed with irrigation whose precipitation rate does not exceed .75"/hour or another means has been employed and described on the plans.
  16. Trees may be designed with a separate deep root bubbler system – See the plans.
  17. The signature on the irrigation plans is applicable to the statement – " I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan."

Irrigation Schedule

1. The landscape contractor shall provide a base irrigation schedule and shall be submitted with certification of completion. Overhead irrigation shall be scheduled between 8:00 pm and 6:00 am unless otherwise noted on the plans or more strict water hours are required by the local jurisdiction.
2. The irrigation run times, length of run, and frequency of run times may need to be adjusted based on infiltration rate of the soil. Slope. Etc. to avoid run–off.
3. The specific parameters of the site conditions are to be input into the 'smart' controller.

Irrigation Audit

1. If needed, all irrigation audits shall be conducted by a certified landscape irrigation auditor.
2. The irrigation system shall be audited after it has been installed and 'fine–tuned'. The audit report is to be included with the Certificate of Completion and shall include, but not limited to:
  - a. System test for distribution uniformity
  - b. Recommendations for any adjustments that may be needed.
  - c. Preparation of an irrigation schedule.The contractor shall make the adjustments as recommended in the irrigation audit.

Certificate of Completion

1. The contractor shall provide to the governing jurisdiction and the landscape architect a Certificate of Completion that at a minimum includes the following:
  - a. Date of completion and date of the certificate.
  - b. Project Name and Address (or specific location)
  - c. Project Applicant name, telephone number, and mailing address.
2. The landscape contractor shall sign a statement that says the landscape and irrigation system have been installed per the approved Landscape Document Package (plans, details, notes, and calculations as contained within this plan set.)
3. If there have been modifications to the layout and/or design of the landscape and irrigation system, the contractor shall include with the Certificate of Completion a set of as–built plans or record drawings that reflect the modifications. The modified landscape and irrigation must remain in compliance with the WELO.
4. The Certificate of Completion shall include the initial irrigation audit that shows the irrigation is in compliance with the irrigation efficiency requirements for WELO (see audit information within this set of notes). The soil analysis report and recommendation and verification that the recommendations have been implemented shall also be submitted, if not included with the Landscape Documentation Package.

BRAD COLE

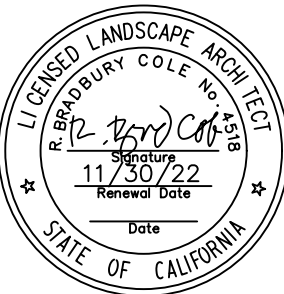
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\*

Ph. (559) 284-4934  
bradc559@gmail.com

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Email: jcrowncrownliving.com



Revision	Notes	Date	CKBY																



Know what's below.  
Call before you dig.

NOTES

Date: 02-28-2022  
Scale: as noted  
Drawn By: B. Cole  
Job Number: N/A

Sheet:

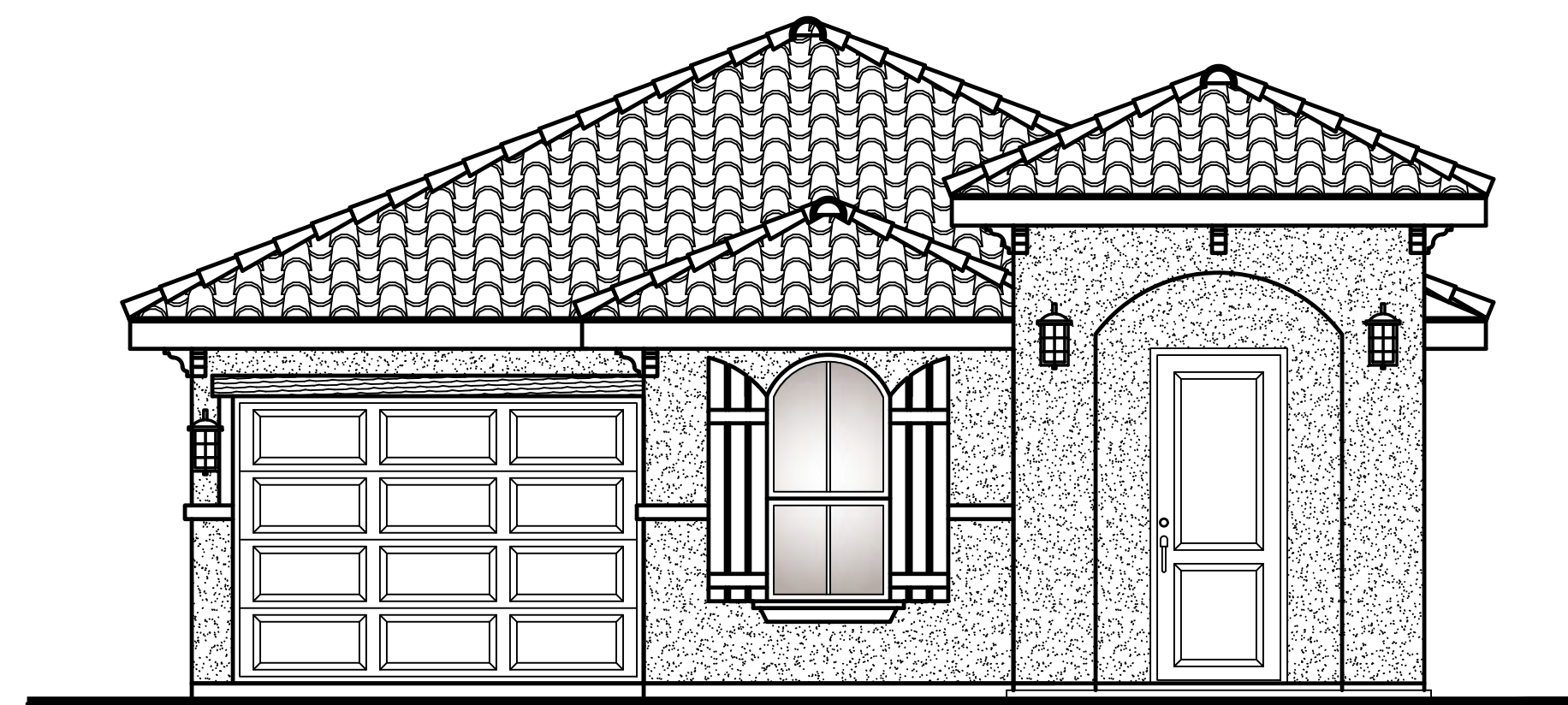
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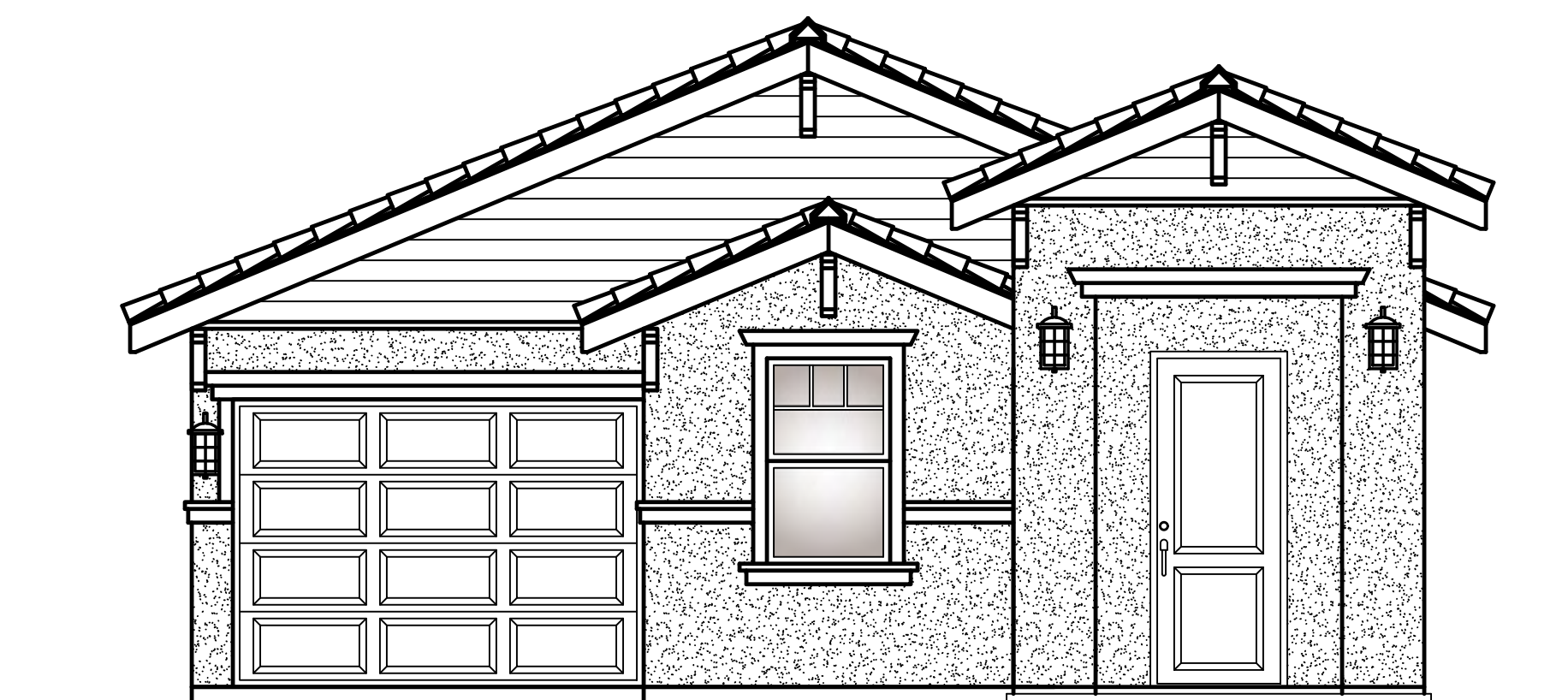
# The Regatta 1400 Standard Plan



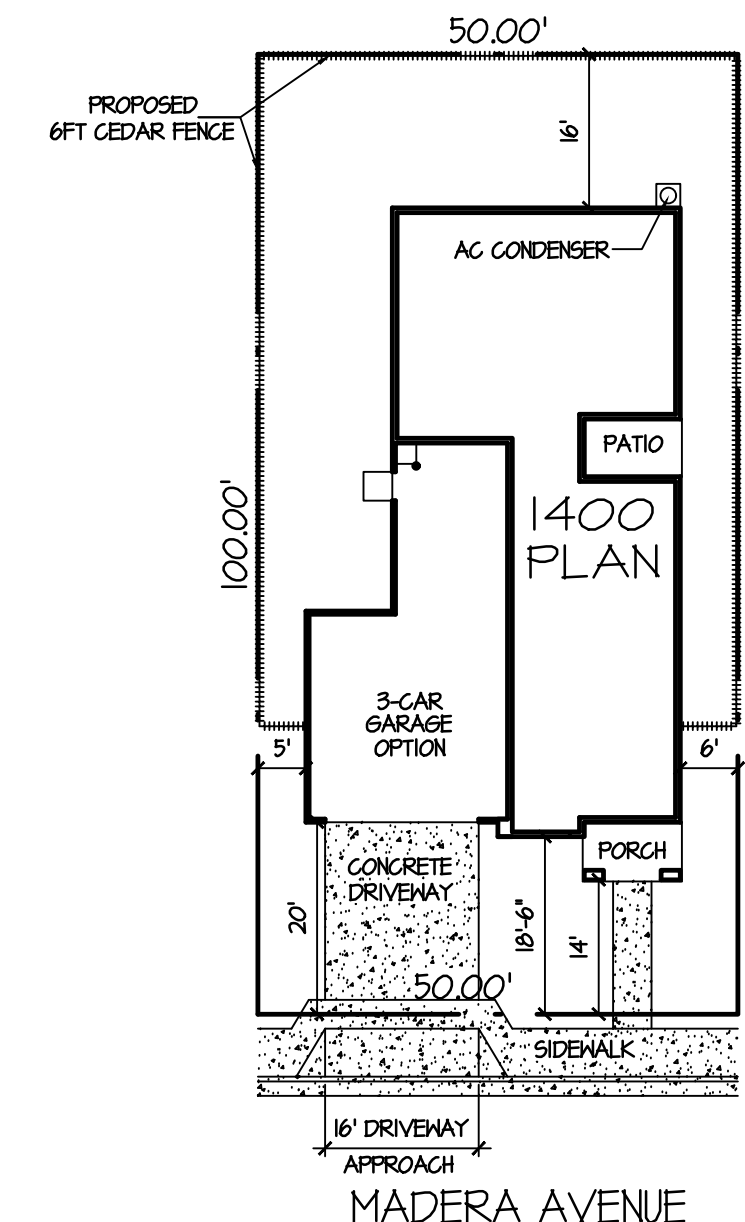
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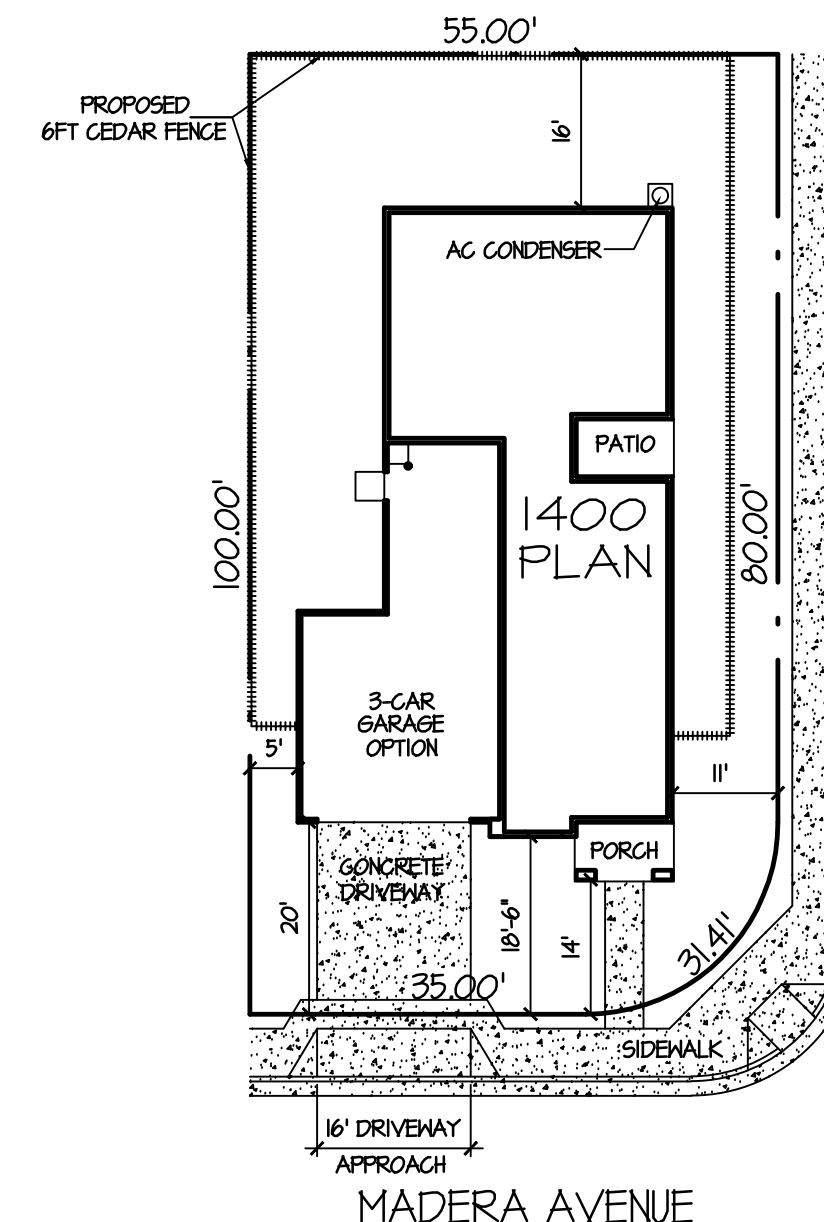
Standard Elevation 'B'



Standard Elevation 'C'



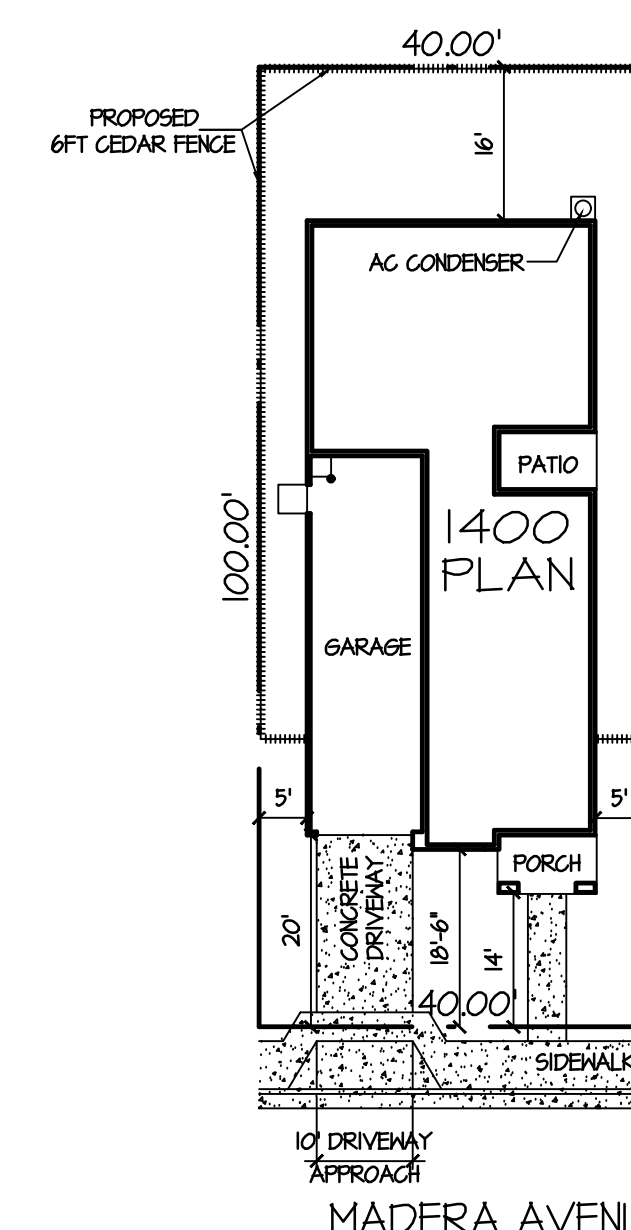
TYPICAL INTERIOR LOT  
PLOT PLAN  
3RD CAR GAR. OPT.  
SCALE: 1" = 20'-0"



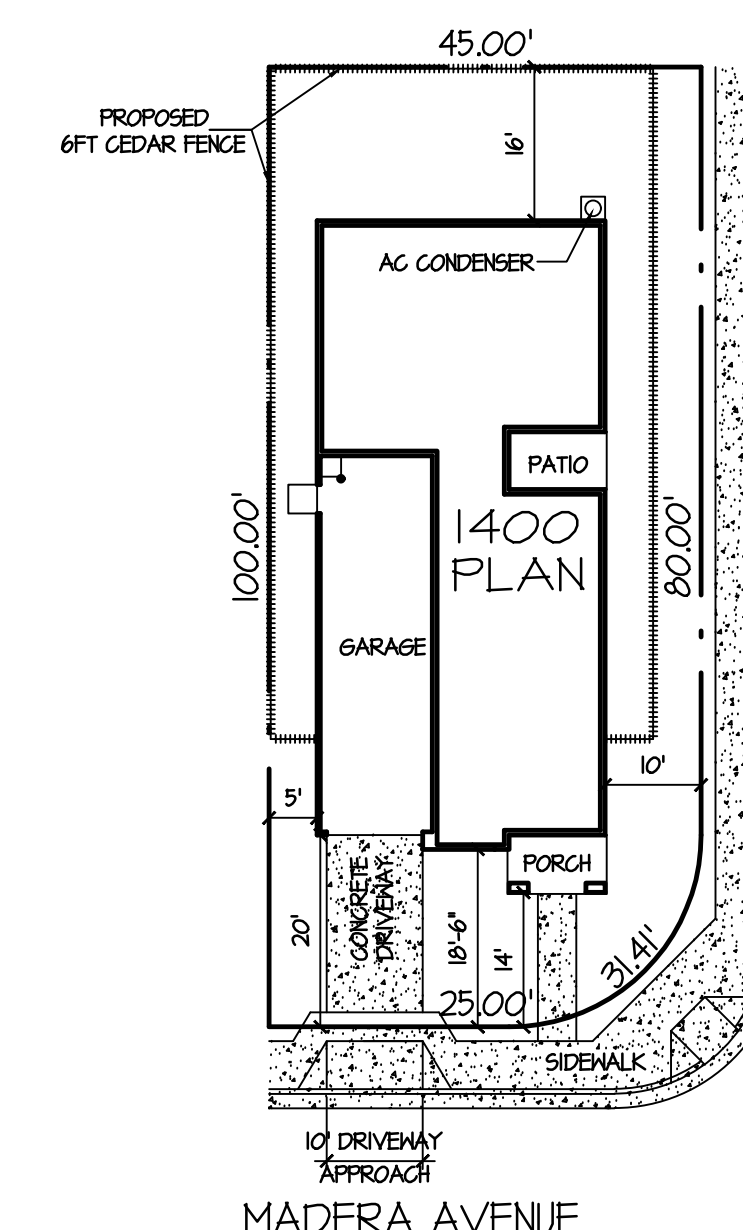
TYPICAL CORNER LOT  
PLOT PLAN  
3RD CAR GAR. OPT.  
SCALE: 1" = 20'-0"

## Area:

3RD CAR GARAGE OPTION	
LIVING SPACE:	1,400 sq. ft.
GARAGE:	474 sq. ft.
3RD CAR GARAGE:	148 sq. ft.
PATIO:	66 sq. ft.
PORCH:	60 sq. ft.
TOTAL LIVING:	1,400 sq. ft.
TOTAL:	2,148 sq. ft.



TYPICAL INTERIOR LOT  
PLOT PLAN  
SCALE: 1" = 20'-0"



TYPICAL CORNER LOT  
PLOT PLAN  
SCALE: 1" = 20'-0"

## Area:

LIVING SPACE:	1,400 sq. ft.
GARAGE:	474 sq. ft.
PATIO:	66 sq. ft.
PORCH:	60 sq. ft.
TOTAL LIVING:	1,400 sq. ft.
TOTAL:	2,000 sq. ft.



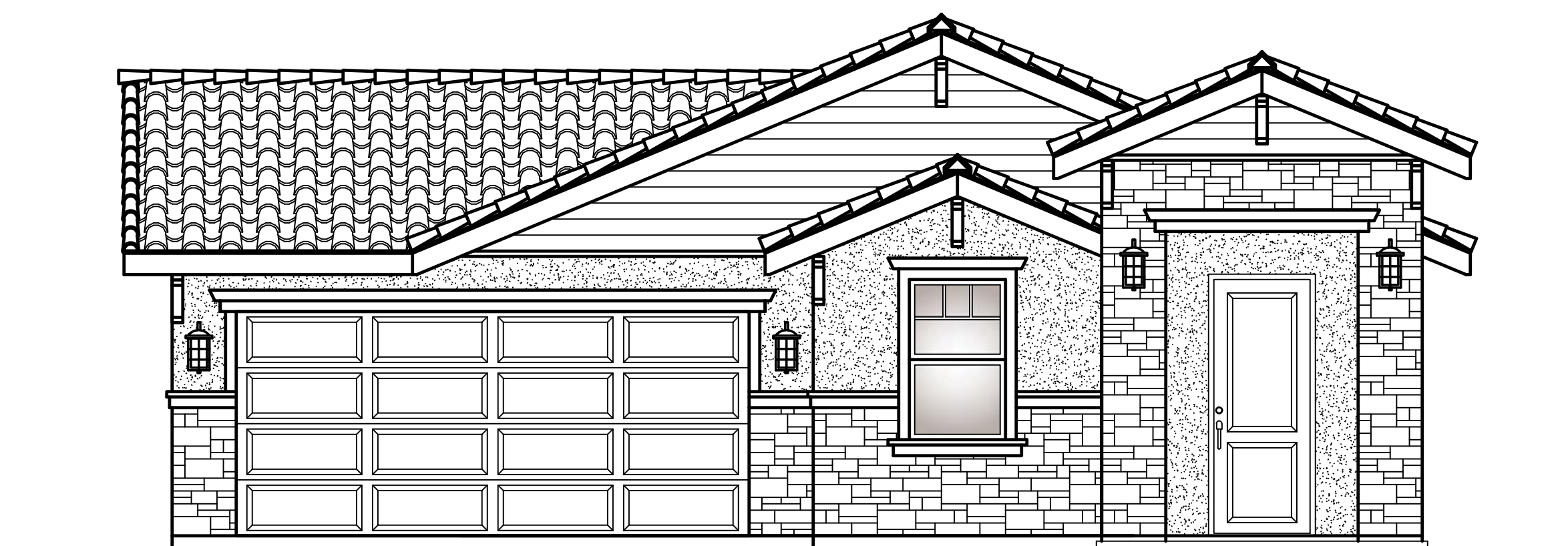
Upgraded Elevation 'A'

W/ OPTIONAL 3RD CAR GARAGE



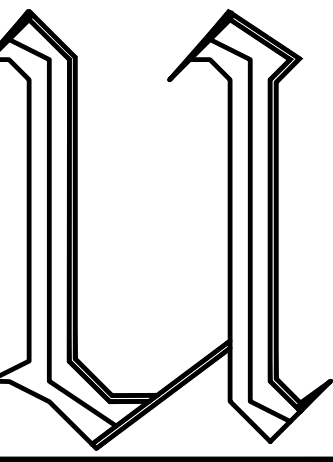
Upgraded Elevation 'B'

W/ OPTIONAL 3RD CAR GARAGE & STONE VENEER

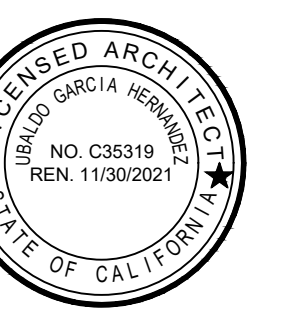


Upgraded Elevation 'C'

W/ OPTIONAL 3RD CAR GARAGE & STONE VENEER



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Architecture, Engineering & Development  
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**Treywood**

OWNER / BUILDER:  
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CONSTRUCTION & DEVELOPMENT, INC.  
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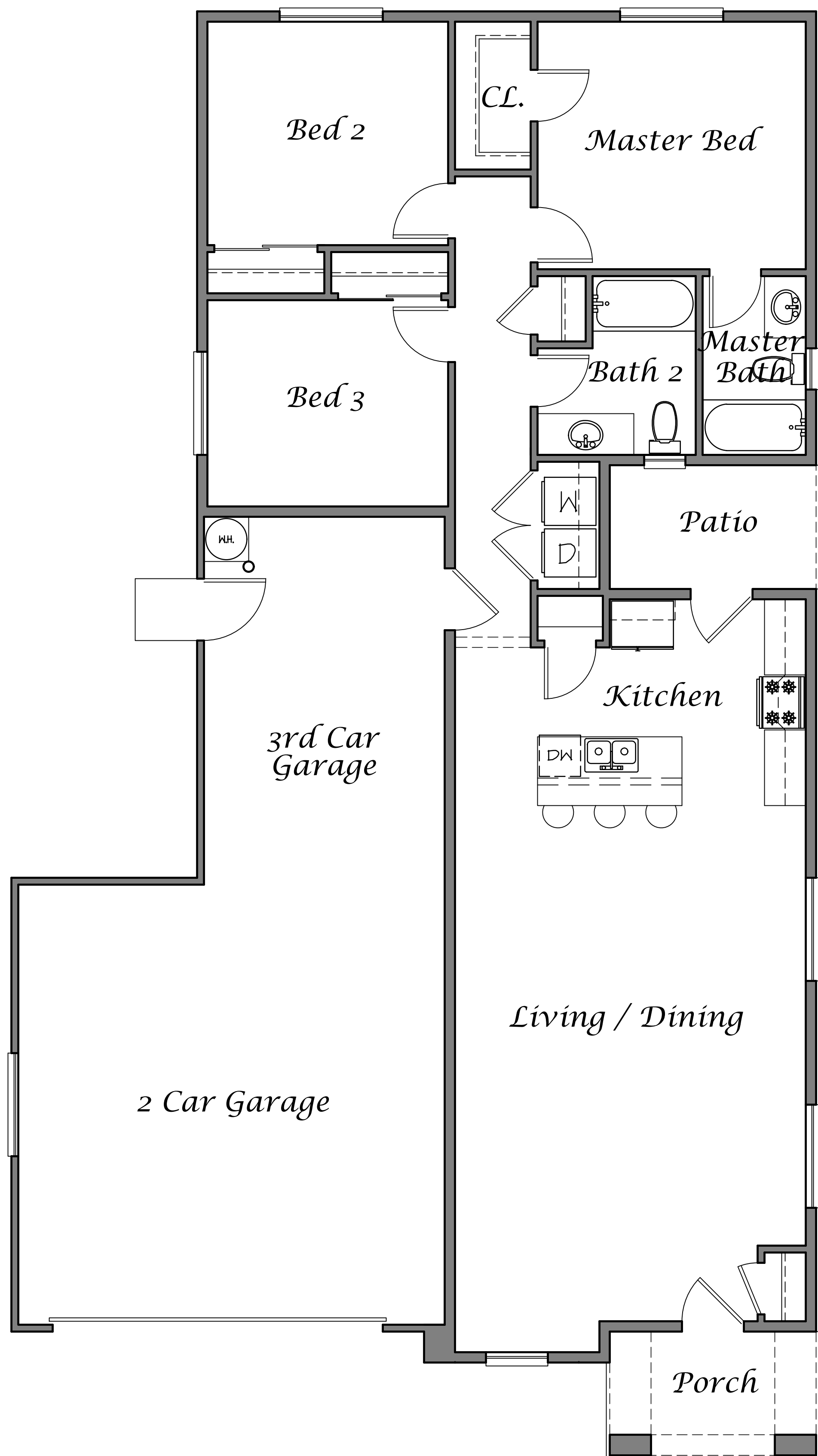
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5 / 16 / 2022  
SCALE  
PER PLAN  
JOB NO.  
1400 PLAN MADERA  
SHEET

**C1**

The Regatta 1400 Standard Plan Cover Sheet



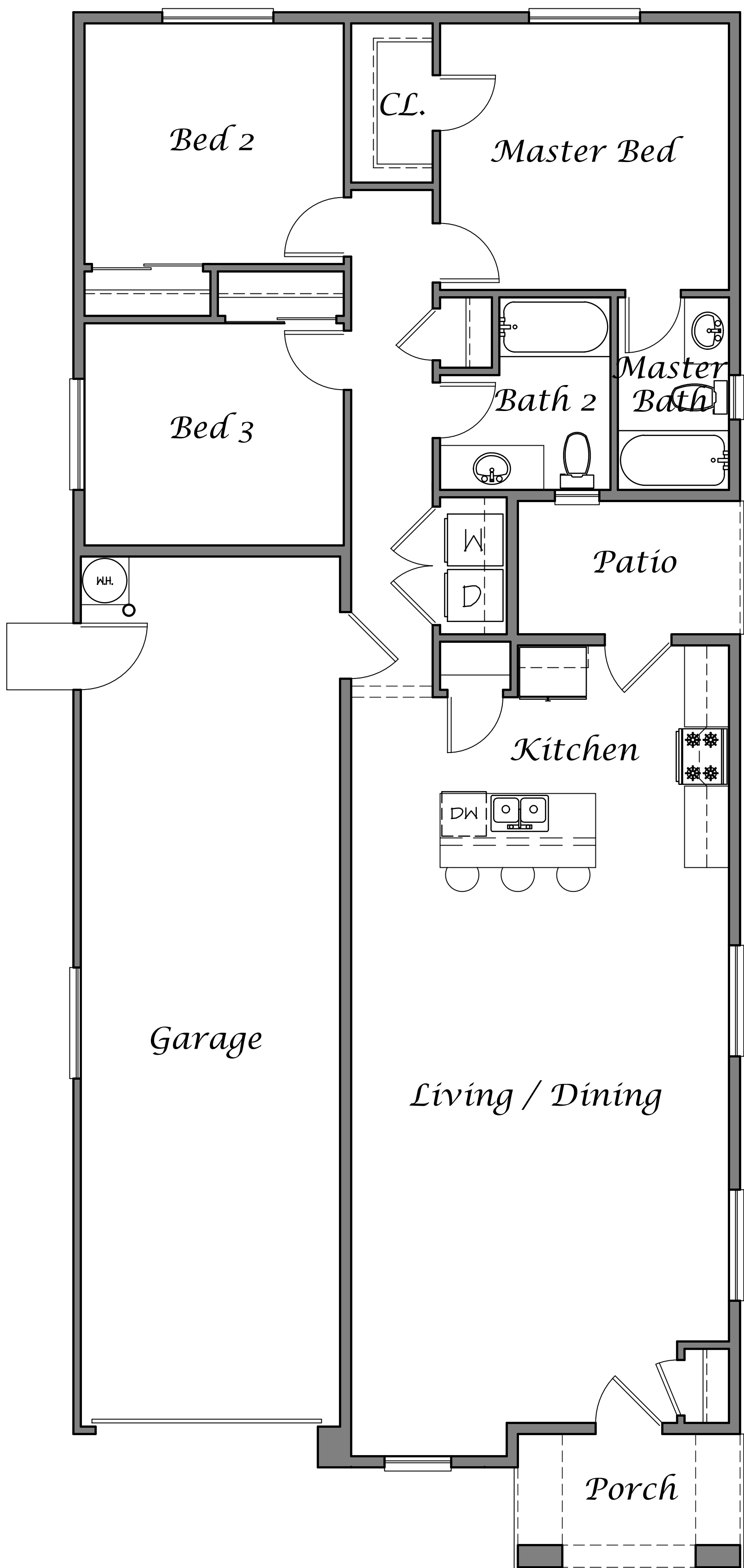
# The Regatta 1400 Standard Plan



## Area:

3RD CAR GARAGE OPTION	
LIVING SPACE:	1,400 sq. ft.
GARAGE:	474 sq. ft.
3RD CAR GARAGE:	190 sq. ft.
PATIO:	60 sq. ft.
PORCH:	60 sq. ft.
TOTAL LIVING:	1,400 sq. ft.
TOTAL:	2,190 sq. ft.

*The Regatta 1400 Floor Plan  
w/ 3rd Car Garage Option*

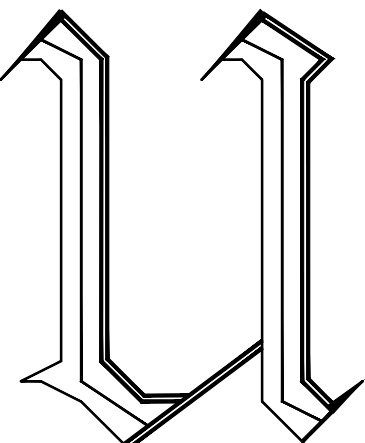


## Area:

LIVING SPACE:	1,400 sq. ft.
GARAGE:	474 sq. ft.
PATIO:	60 sq. ft.
PORCH:	60 sq. ft.
TOTAL LIVING:	1,400 sq. ft.
TOTAL:	2,000 sq. ft.

*The Regatta 1400 Floor Plan*

## The Regatta 1400 Plan Floor Plan



*Villa Di Ubaldo*  
Architecture, Engineering & Development  
Ubaldo Garcia Hernandez  
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Tel. (559) 871-5534  
Email: villadiubaldo@hotmail.com



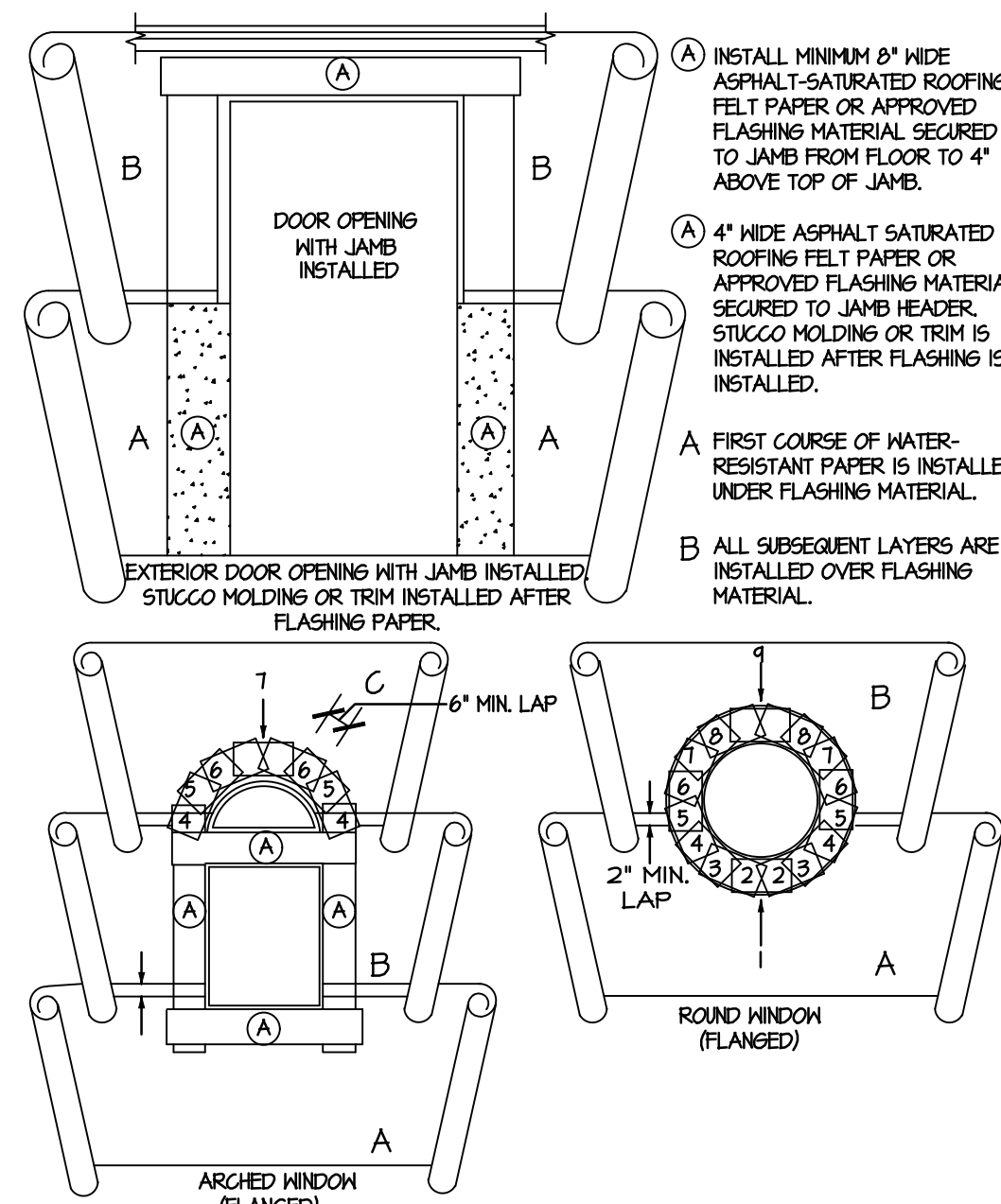
*Dreywood*

OWNER / BUILDER:  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
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Email: jcrowncrownliving.com

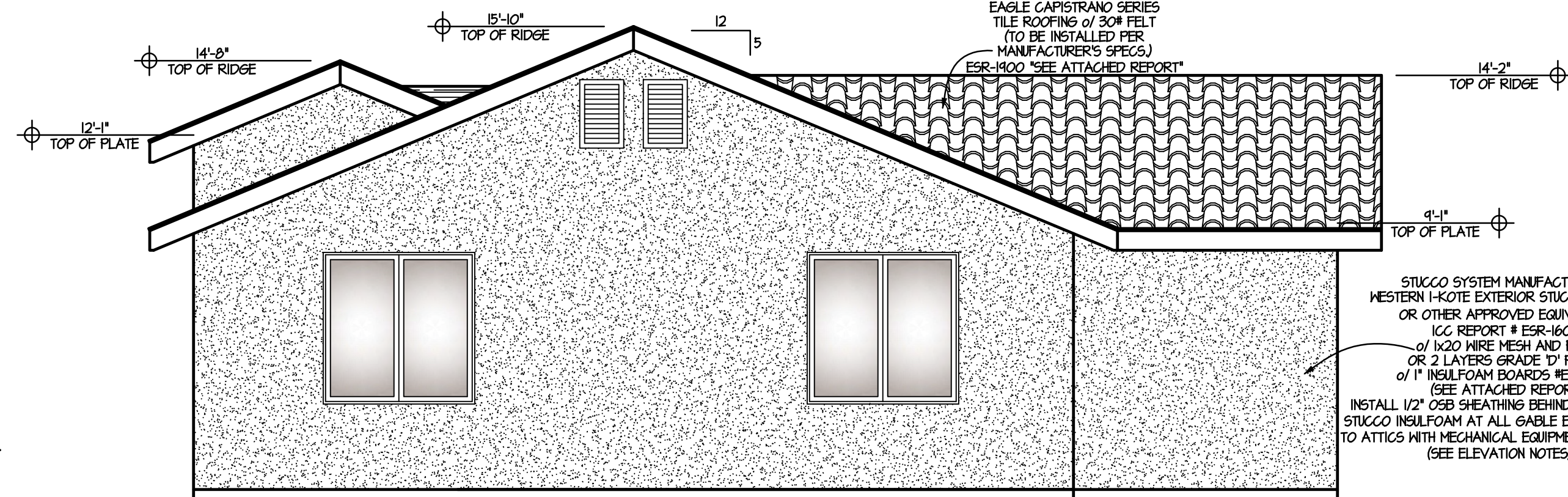
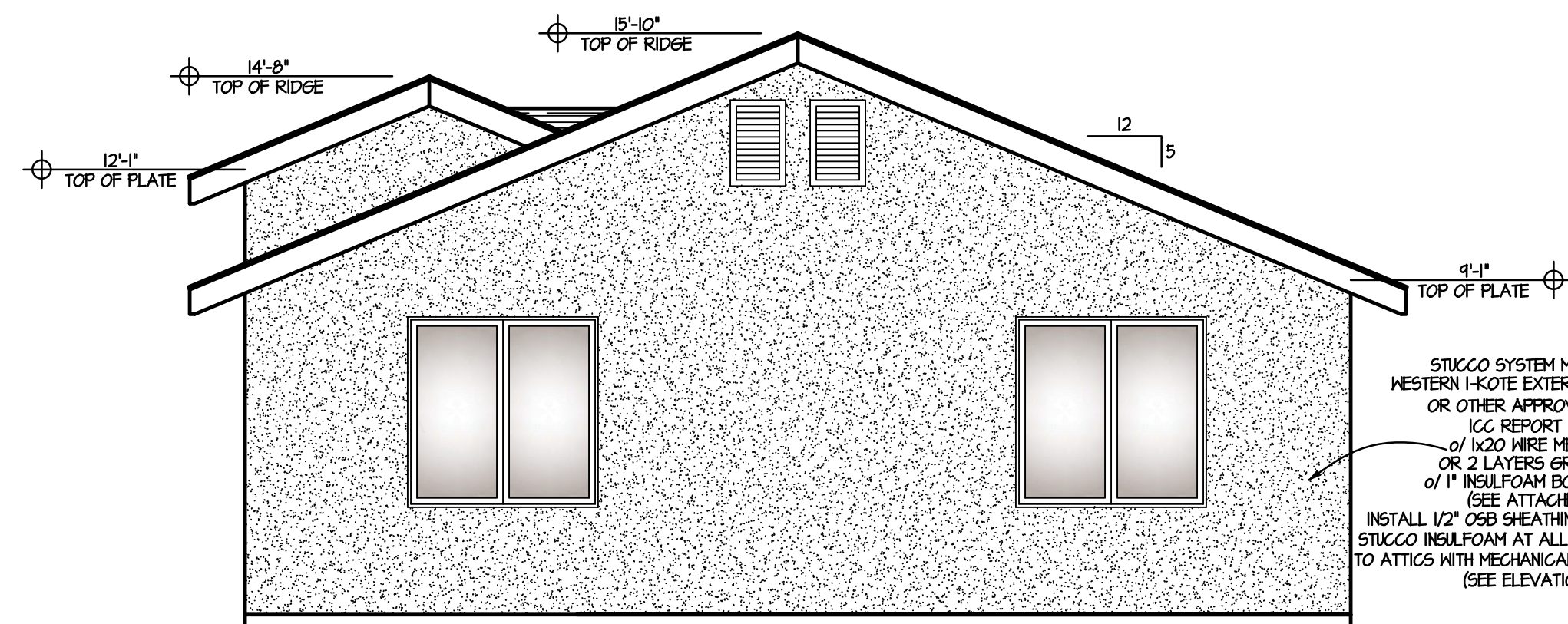
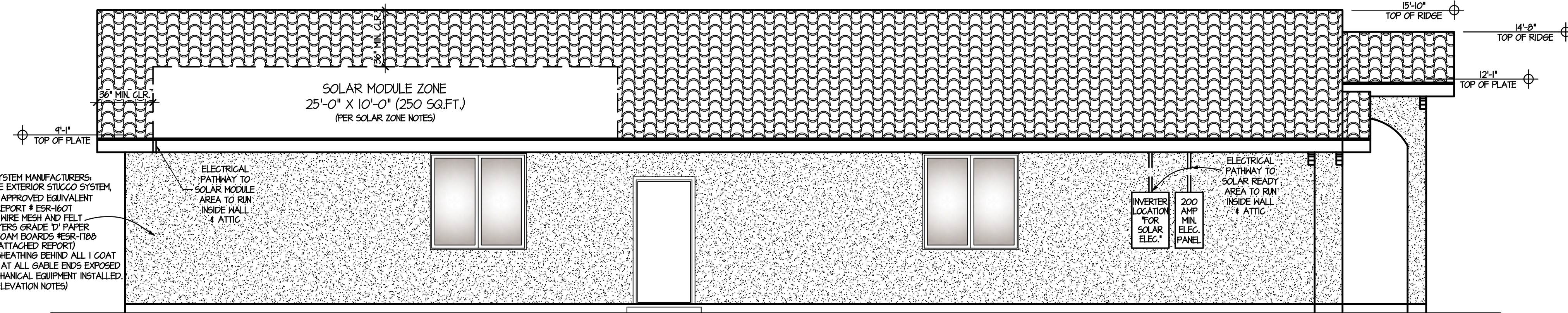
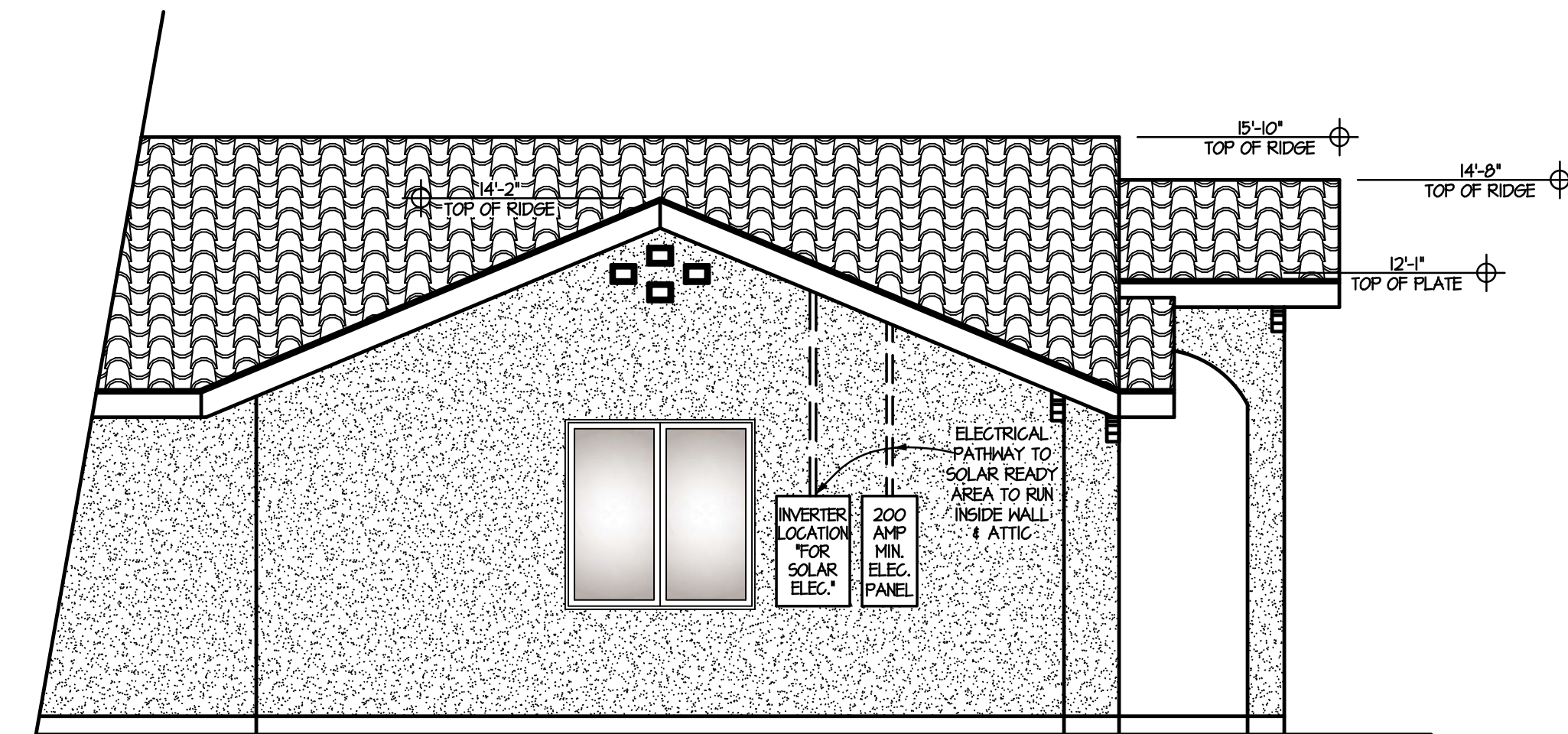
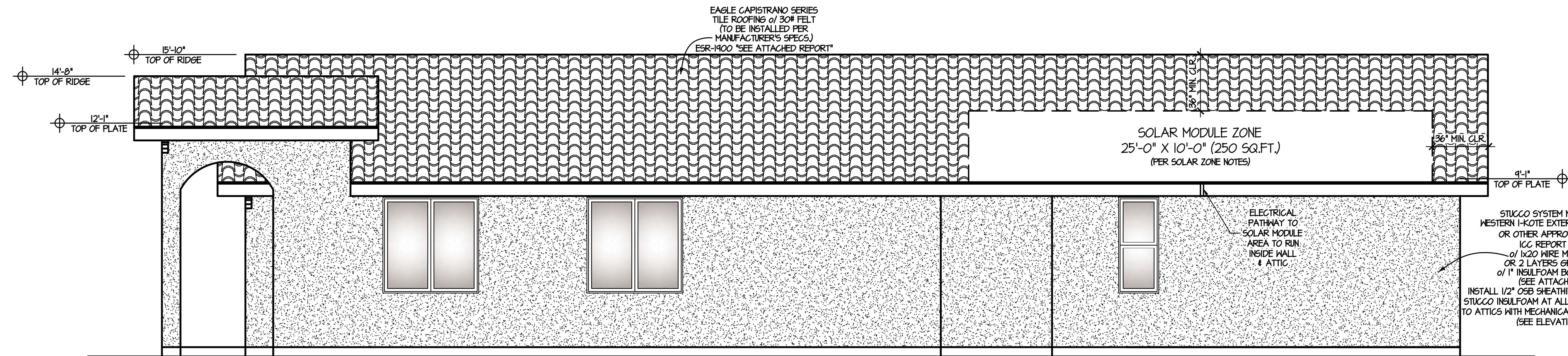
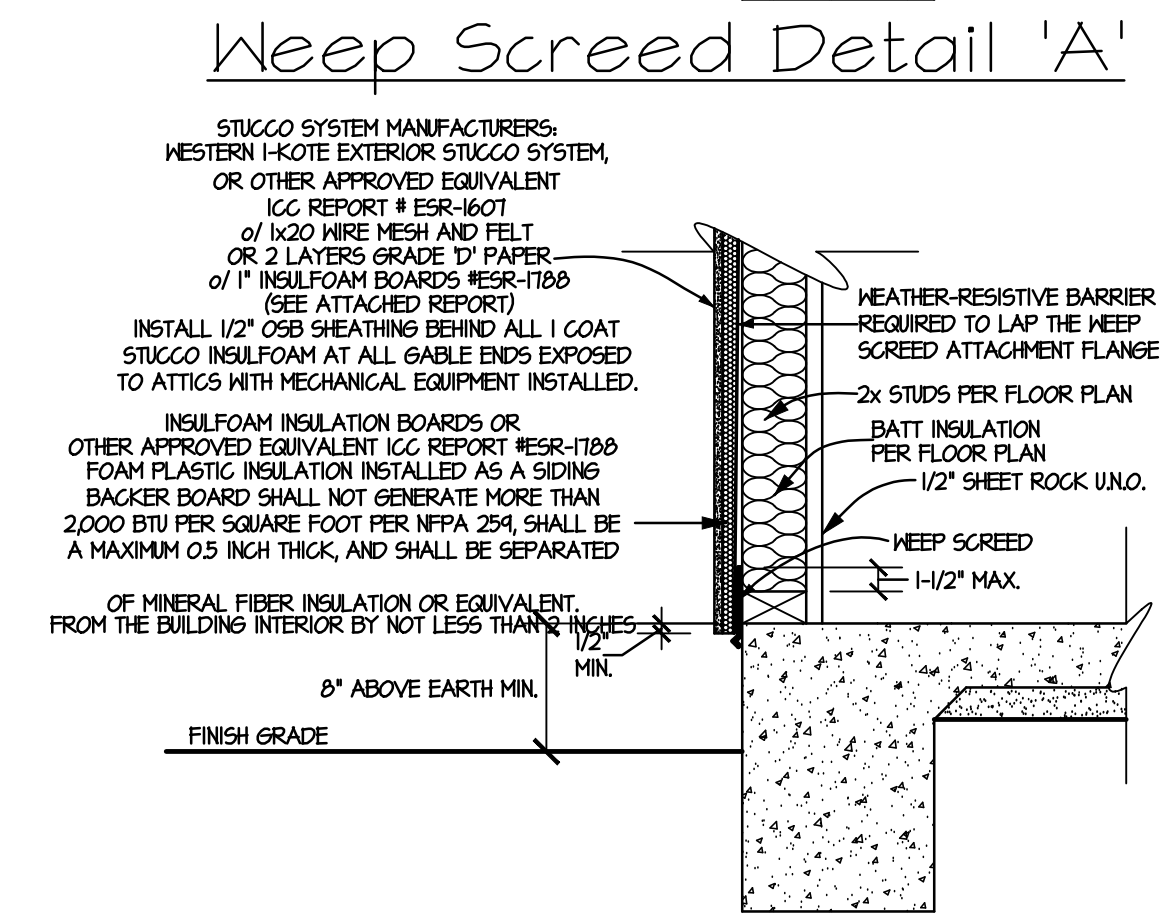
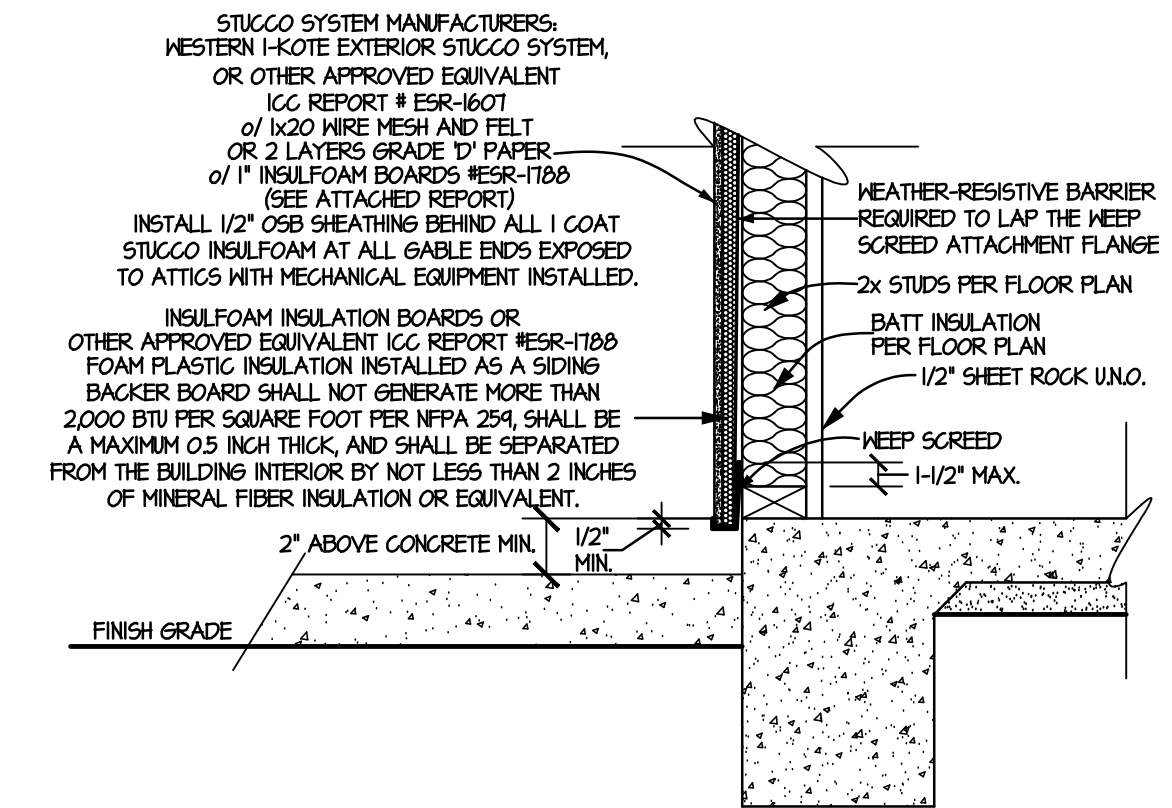
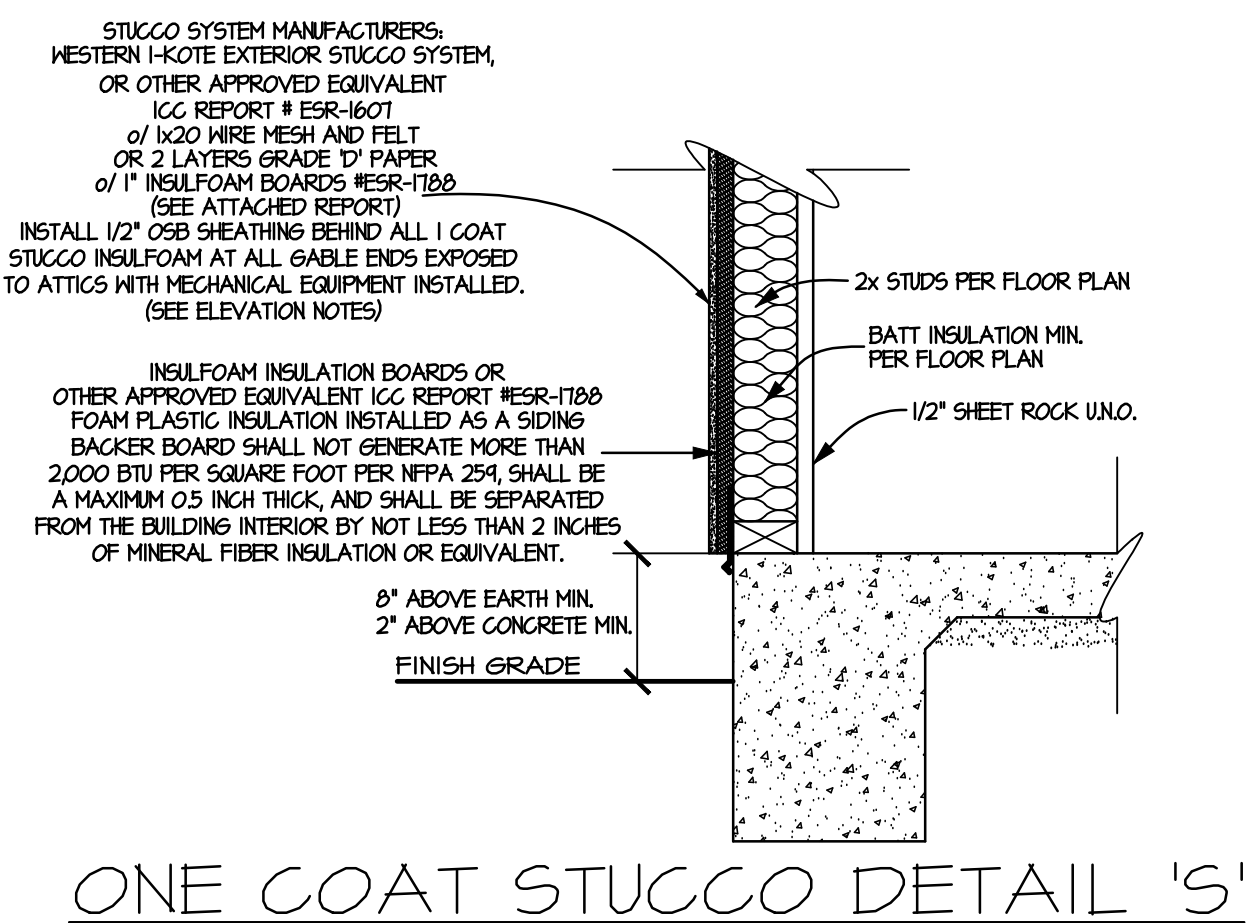
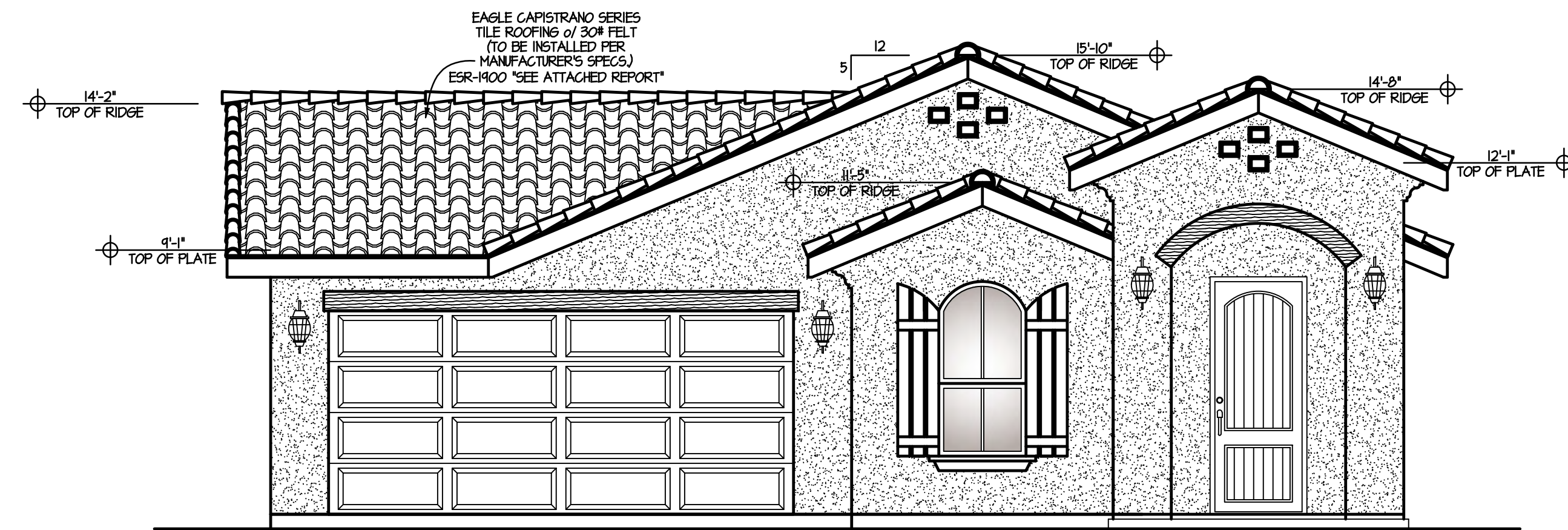
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5 / 16 / 2022  
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1/4" = 1'-0"  
JOB NO.  
1400 PLAN MADERA  
SHEET

**A1**

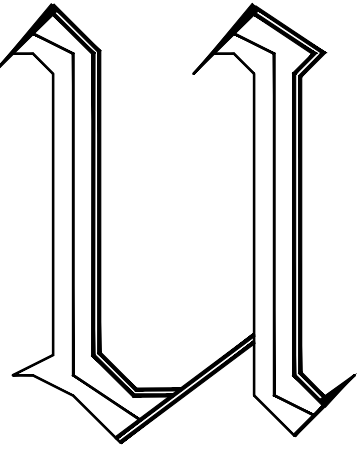




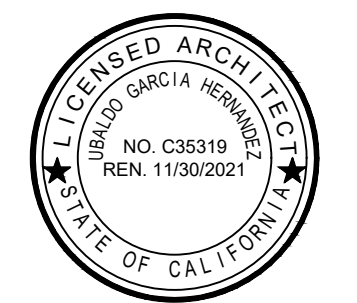
**SOLAR MODULE ZONE NOTES:**  
 SOLAR NOTE: NO OBSTRUCTIONS, INCLUDING BUT NOT LIMITED TO, VENTS, GUTTERS, ARCHITECTURAL FEATURES AND ROOF MOUNTED EQUIPMENT, SHALL BE LOCATED IN THE SOLAR ZONE. ANY OBSTRUCTION LOCATED ON THE ROOF OR ANY OTHER PART OF THE BUILDING THAT PROJECTS ABOVE THE SOLAR ZONE SHALL BE LOCATED AT LEAST TWICE THE DISTANCE MEASURED IN THE HORIZONTAL PLANE OF THE HEIGHT DIFFERENCE BETWEEN THE HIGHEST POINT OF THE OBSTRUCTION AND THE HORIZONTAL PROJECTION OF THE NEAREST POINT OF THE SOLAR ZONE, MEASURED IN THE VERTICAL PLANE.



# The Regatta 1400 Plan Exterior Elevations 'A'



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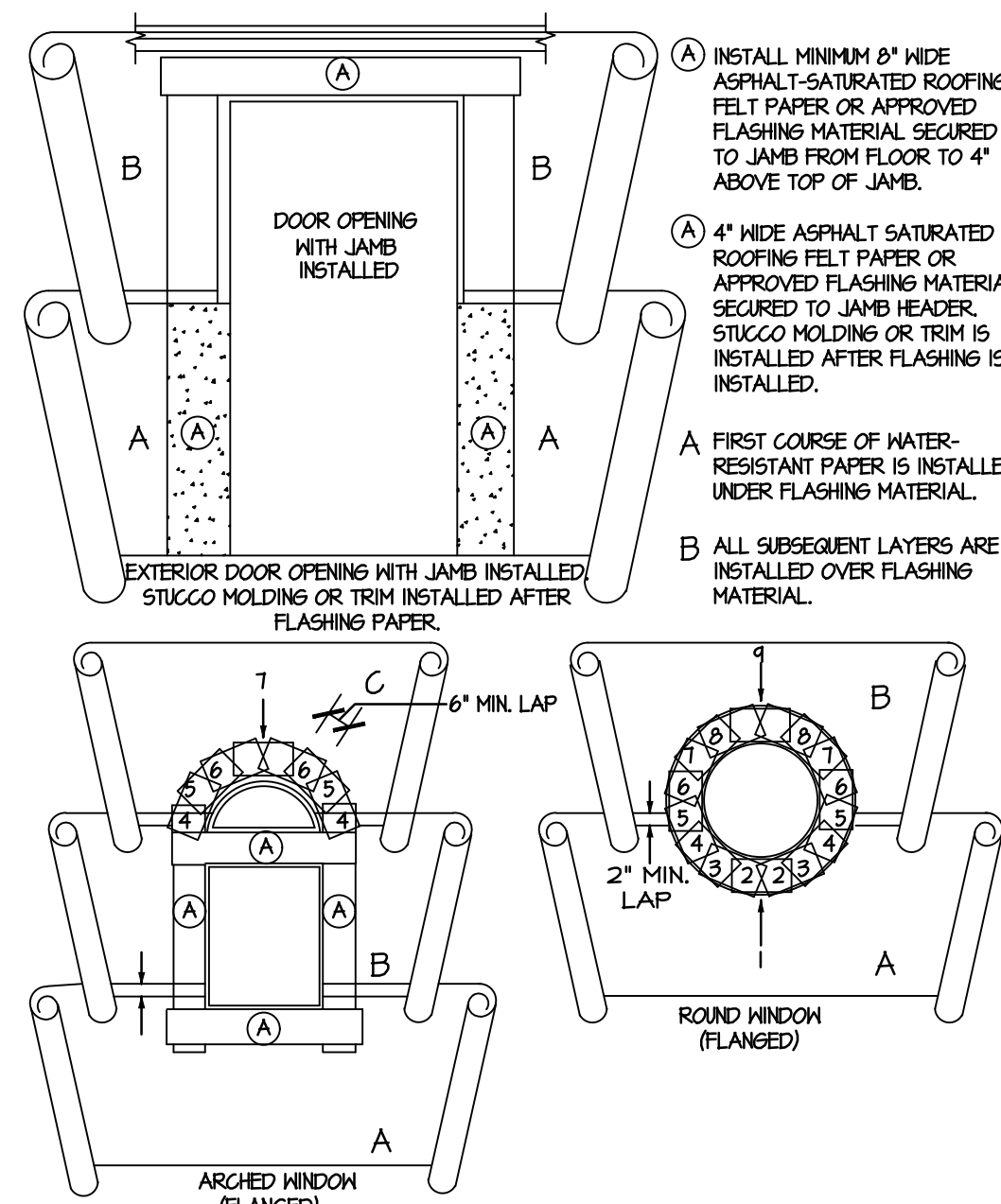
**Dreywood**

**OWNER / BUILDER:**  
**JOSEPH CROWN**  
 CONSTRUCTION & DEVELOPMENT, INC.  
 5320 E. PINE AVENUE  
 Fresno, CA 93727  
 Phone: (559) 275-5200  
 Email: jcrowncrownliving.com

DATE: 5 / 16 / 2022  
 SCALE: 1/4" = 1'-0"  
 JOB NO.: 1400 PLAN MADERA  
 SHEET

**A2**





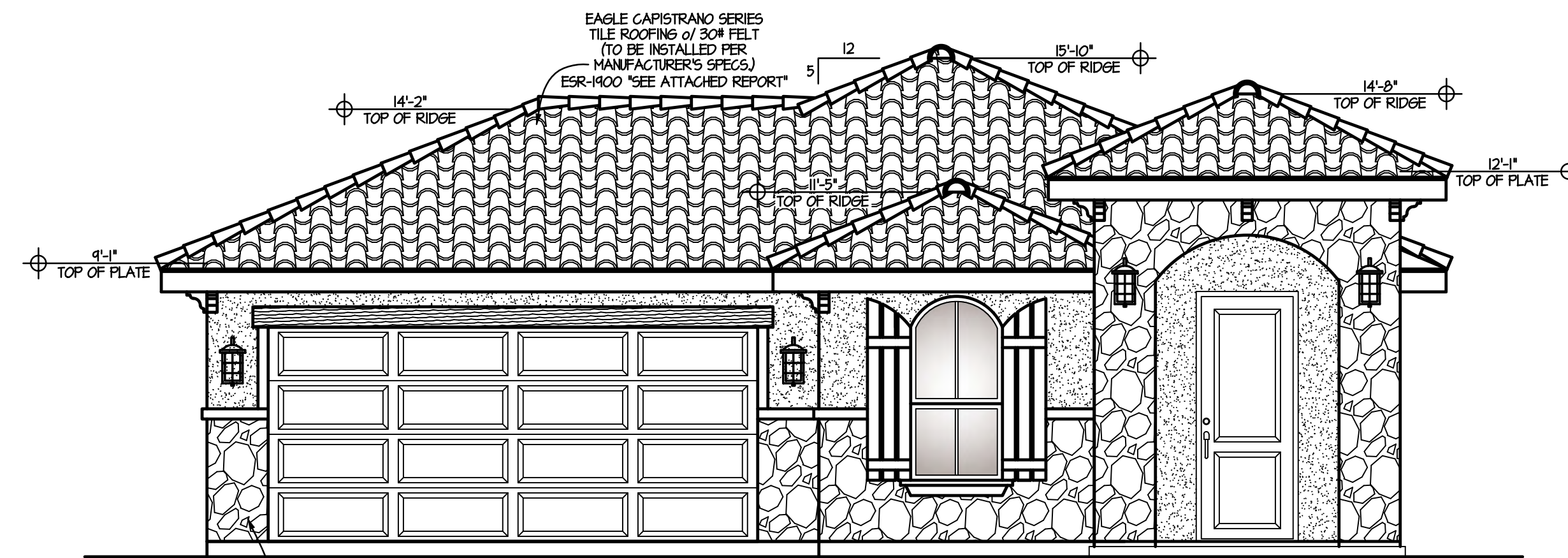
Door & Window Flashing Detail

**SOLAR MODULE ZONE NOTES:**  
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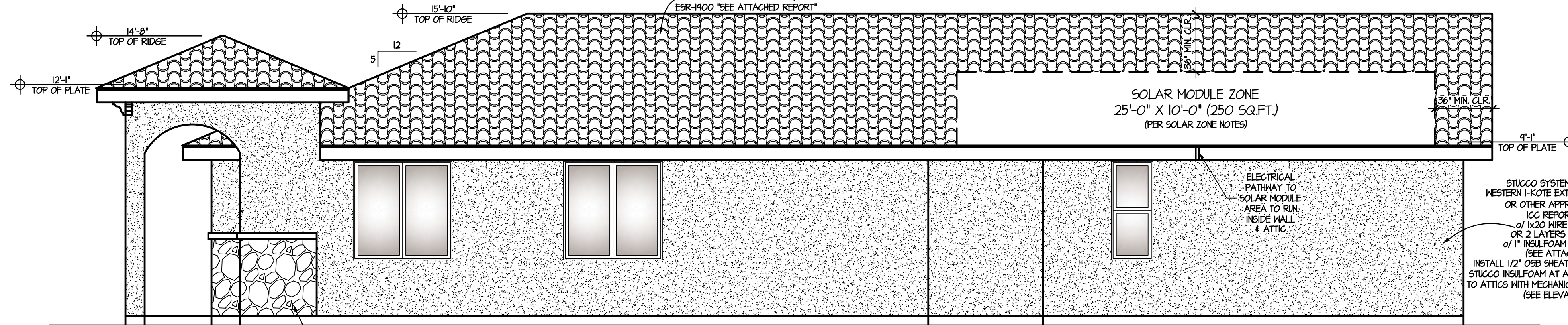
FRONT ELEVATION 'B'

SCALE: 1/4" = 1'-0"



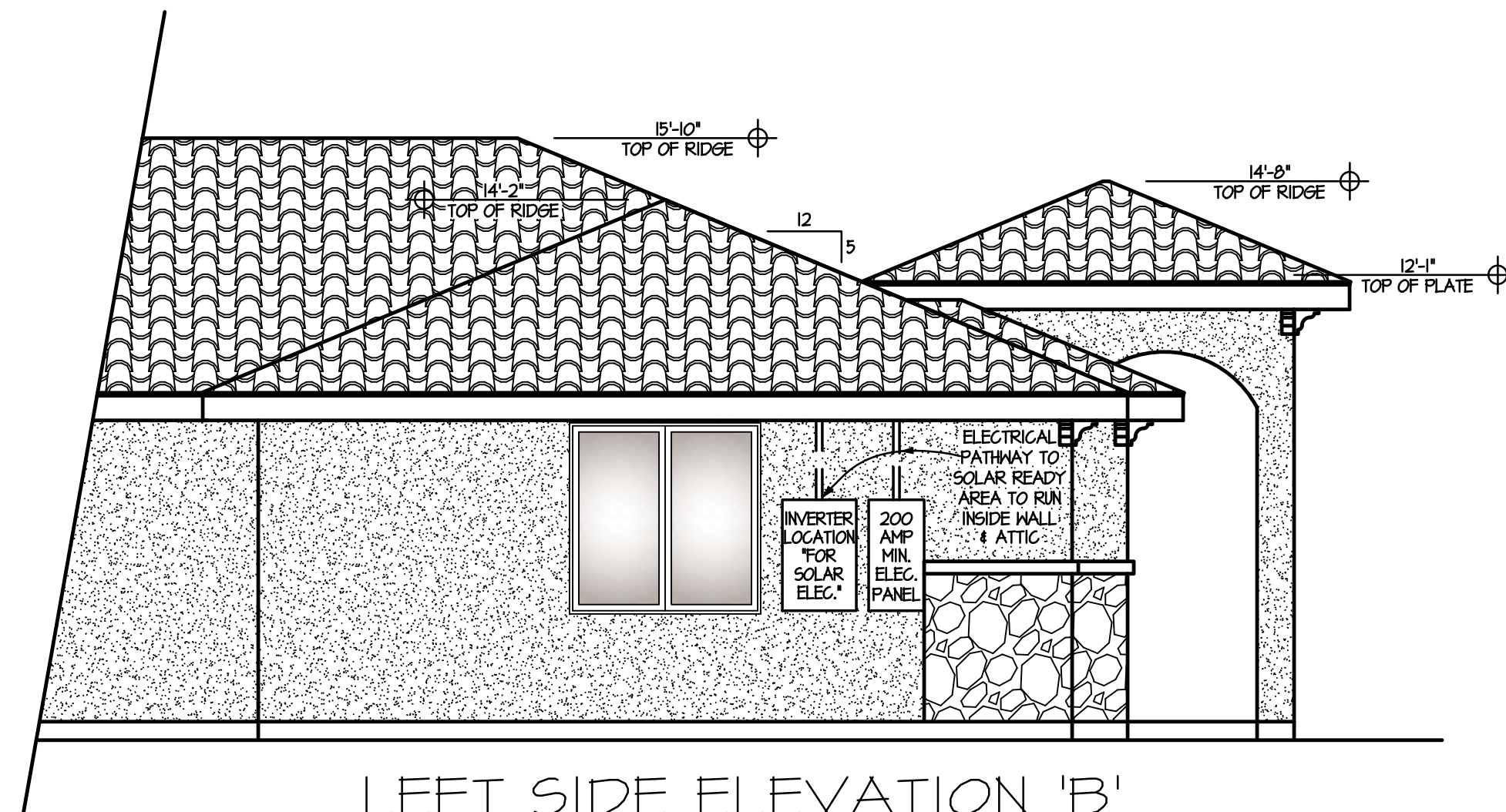
FRONT ELEVATION 'B' w/ 3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



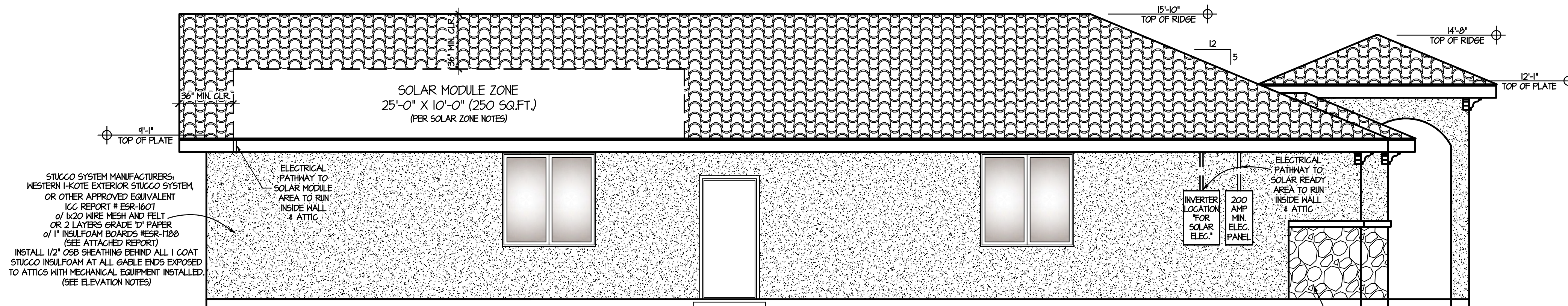
RIGHT SIDE ELEVATION 'B'

SCALE: 1/4" = 1'-0"



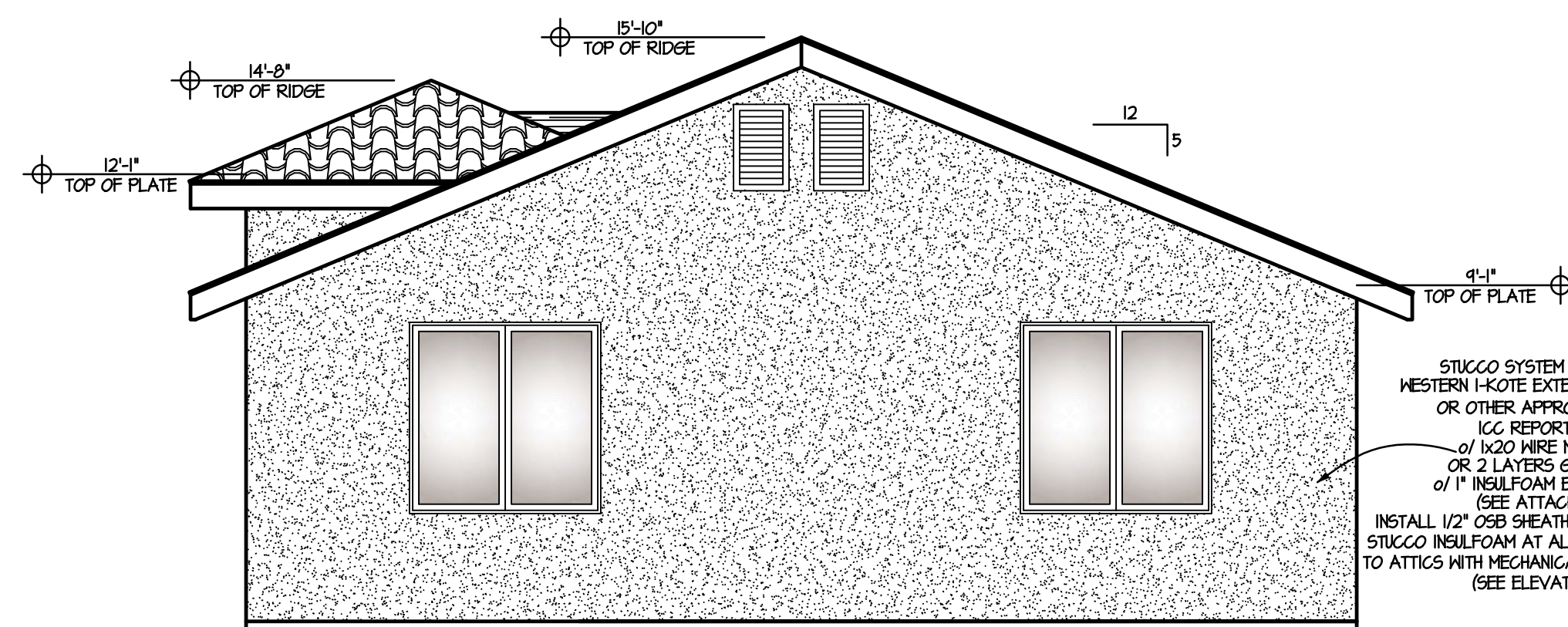
LEFT SIDE ELEVATION 'B' 3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



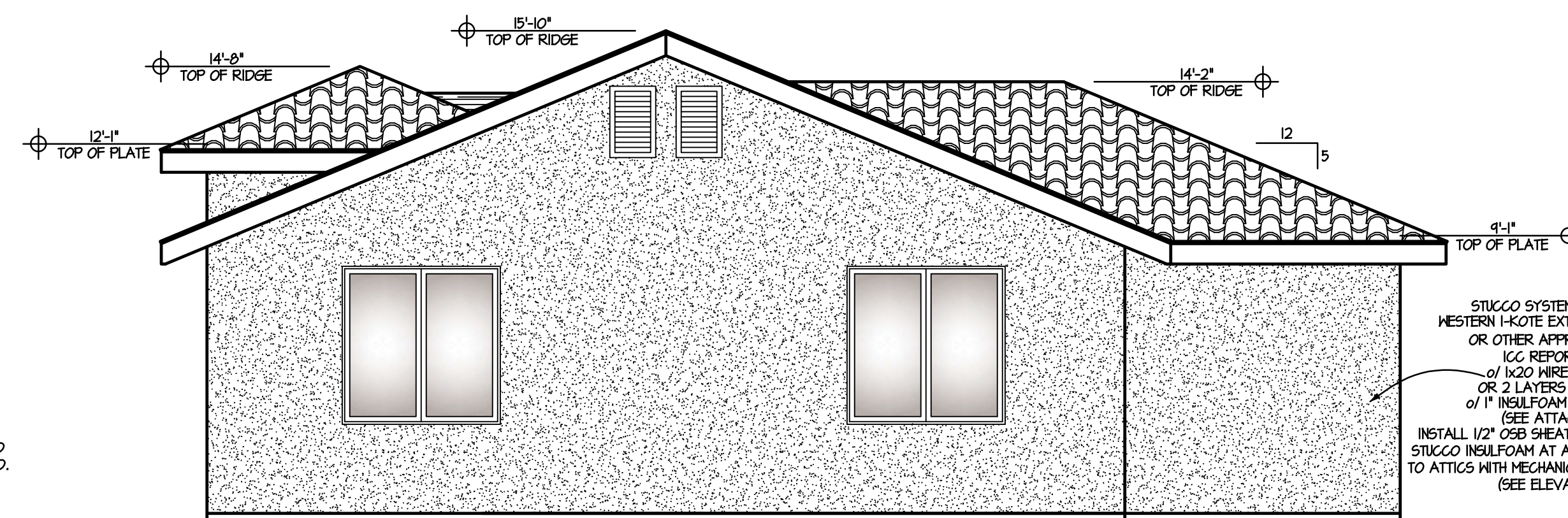
LEFT SIDE ELEVATION 'B'

SCALE: 1/4" = 1'-0"



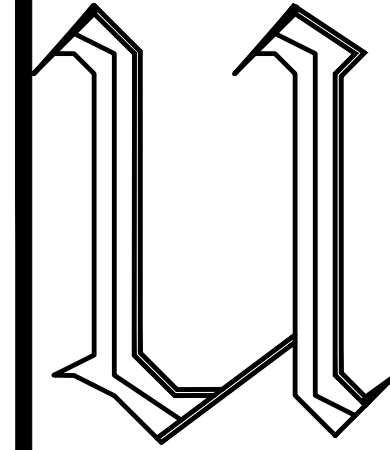
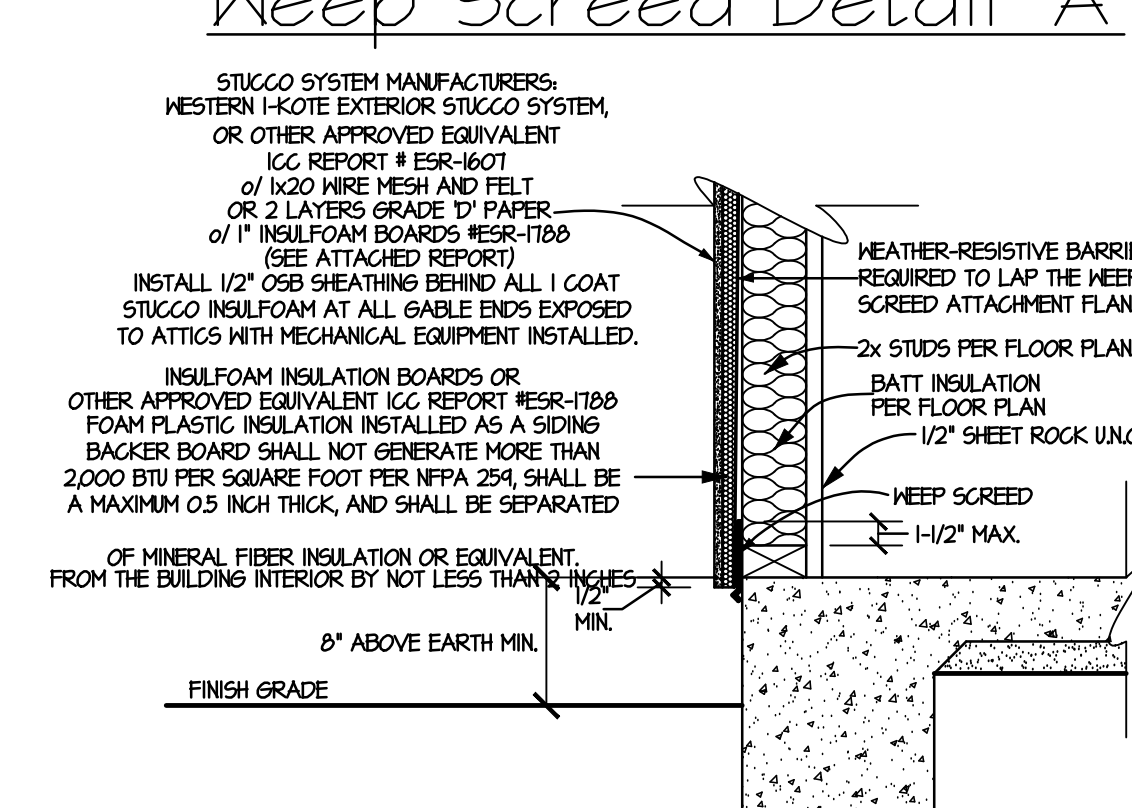
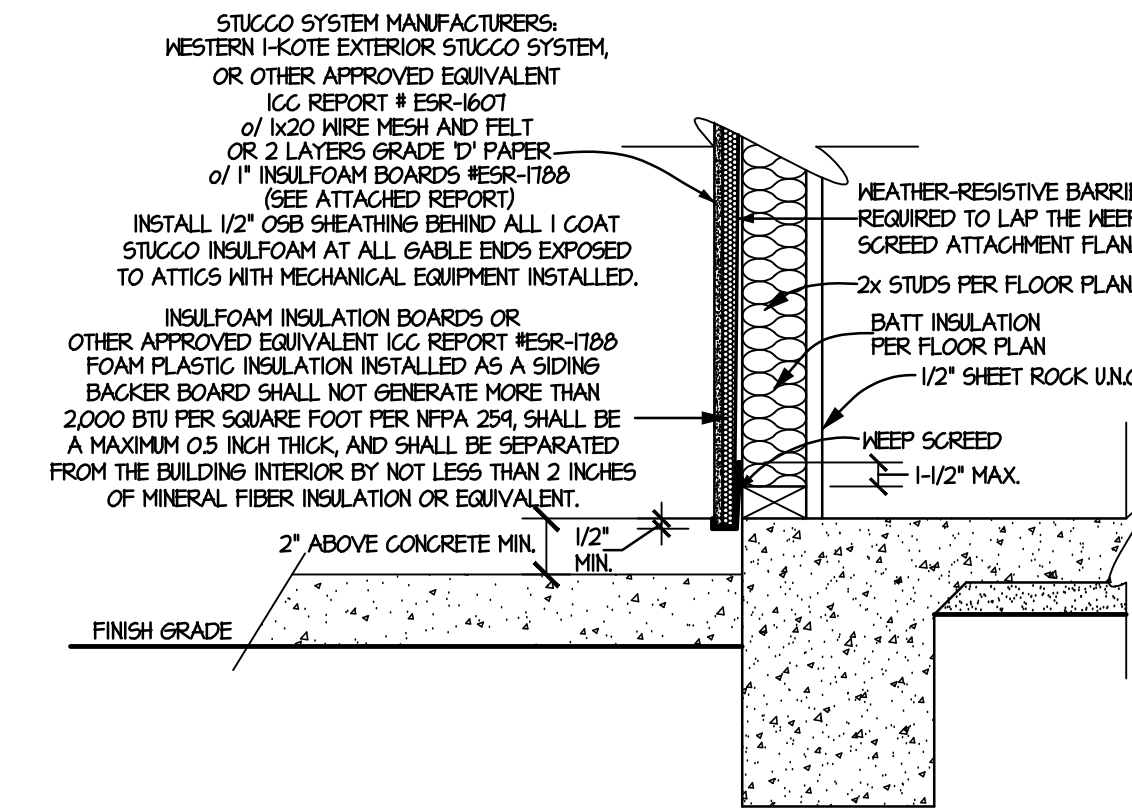
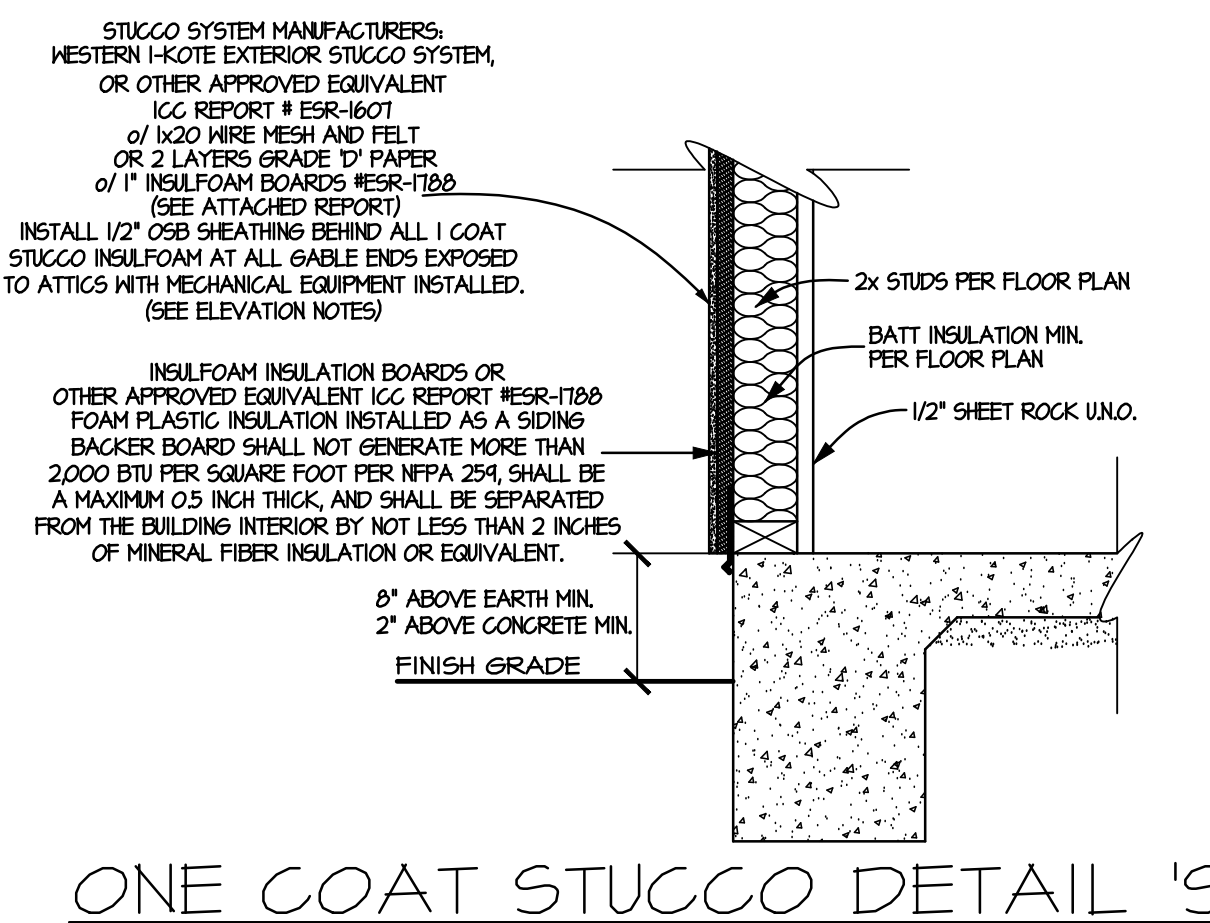
REAR ELEVATION 'B'

SCALE: 1/4" = 1'-0"

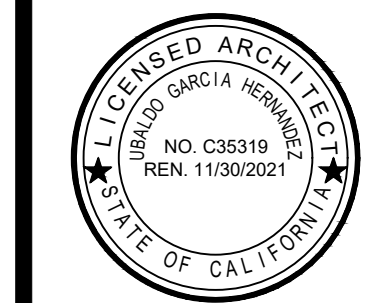


REAR ELEVATION 'B' 3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



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**Dreywood**

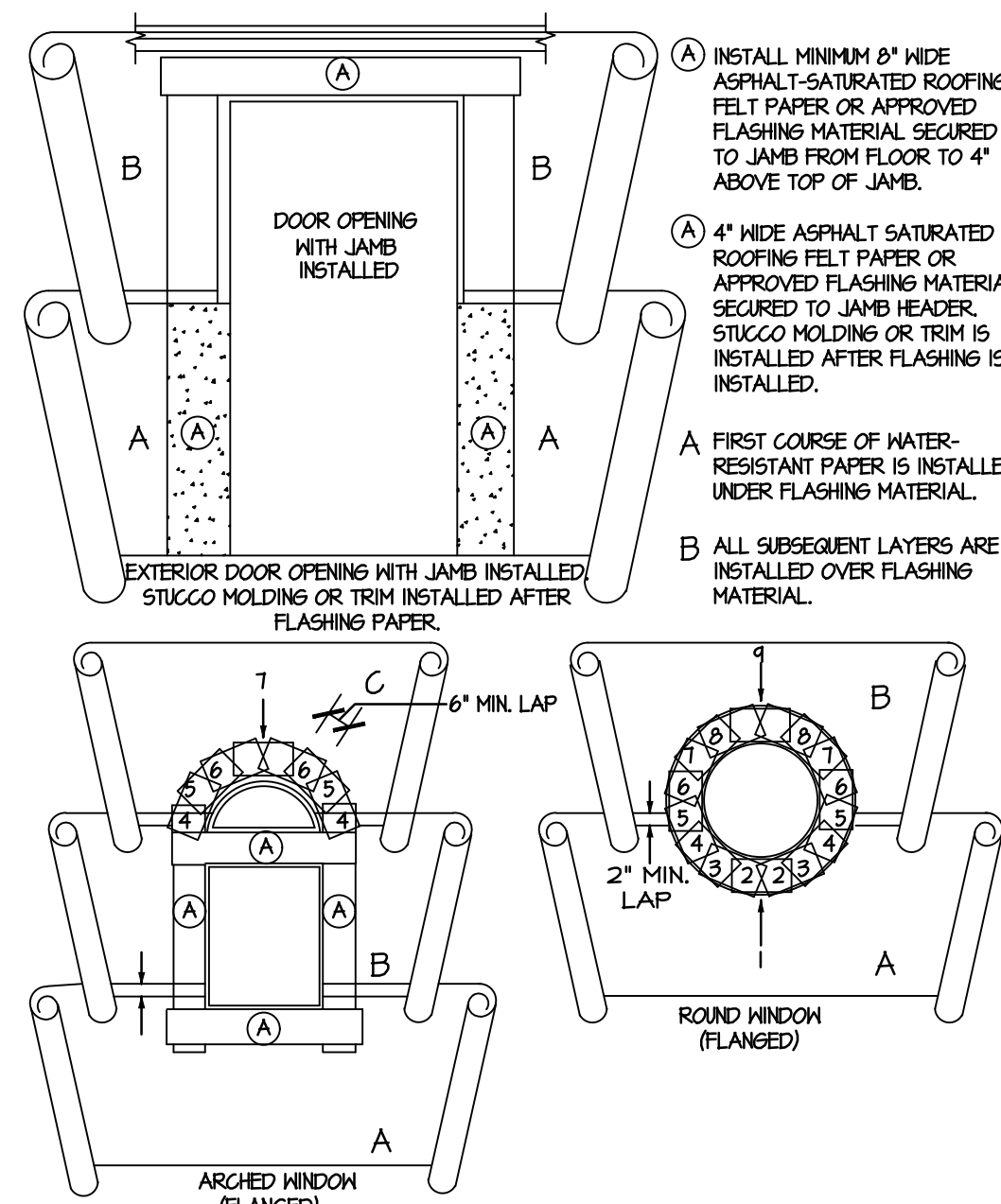
**JOSEPH CROWN**  
 CONSTRUCTION & DEVELOPMENT, INC.  
 5320 E. PINE AVENUE  
 Fresno, CA 93727  
 Phone: (559) 275-5200  
 Email: jcrowncrownliving.com

DATE: 5 / 16 / 2022  
 SCALE: 1/4" = 1'-0"  
 JOB NO: 1400 PLAN MADERA  
 SHEET

**A3**

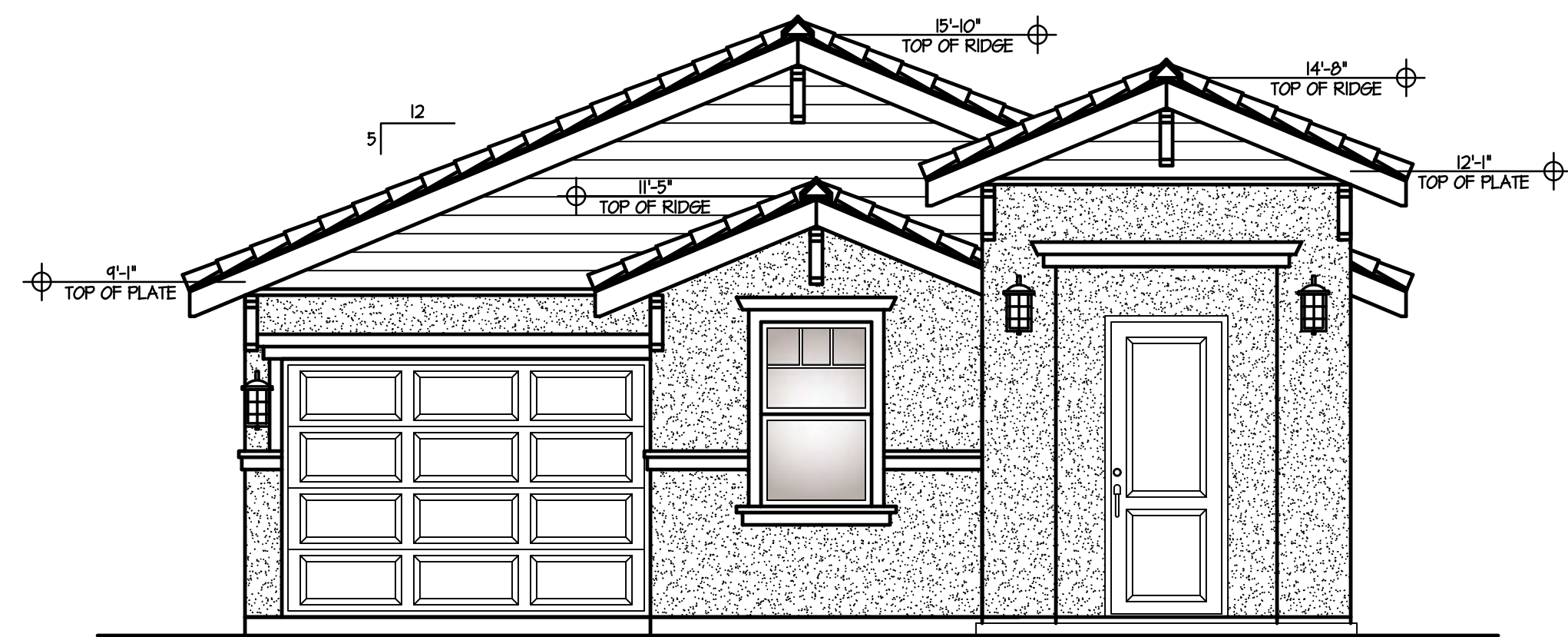
The Regatta 1400 Plan Exterior Elevations 'B'





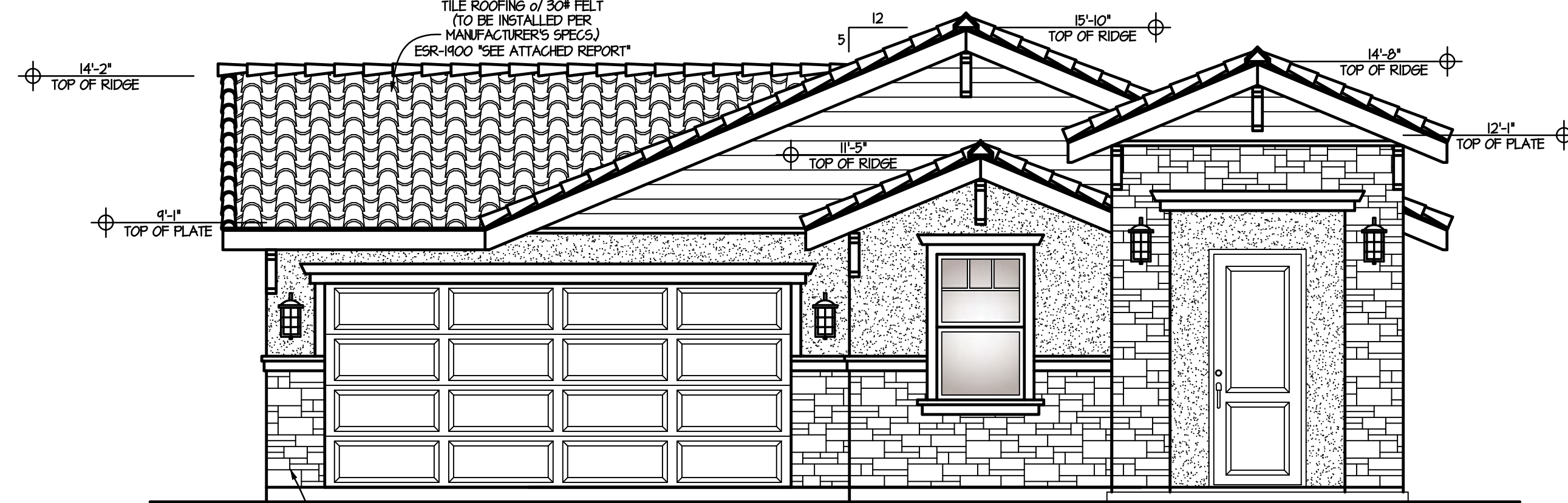
Door & Window Flashing Detail

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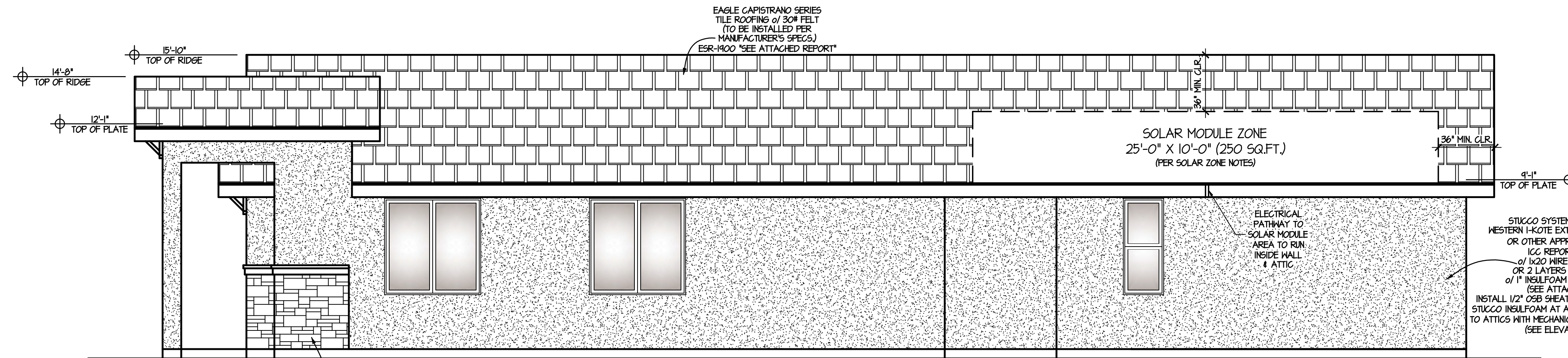
FRONT ELEVATION 'C'

SCALE: 1/4" = 1'-0"



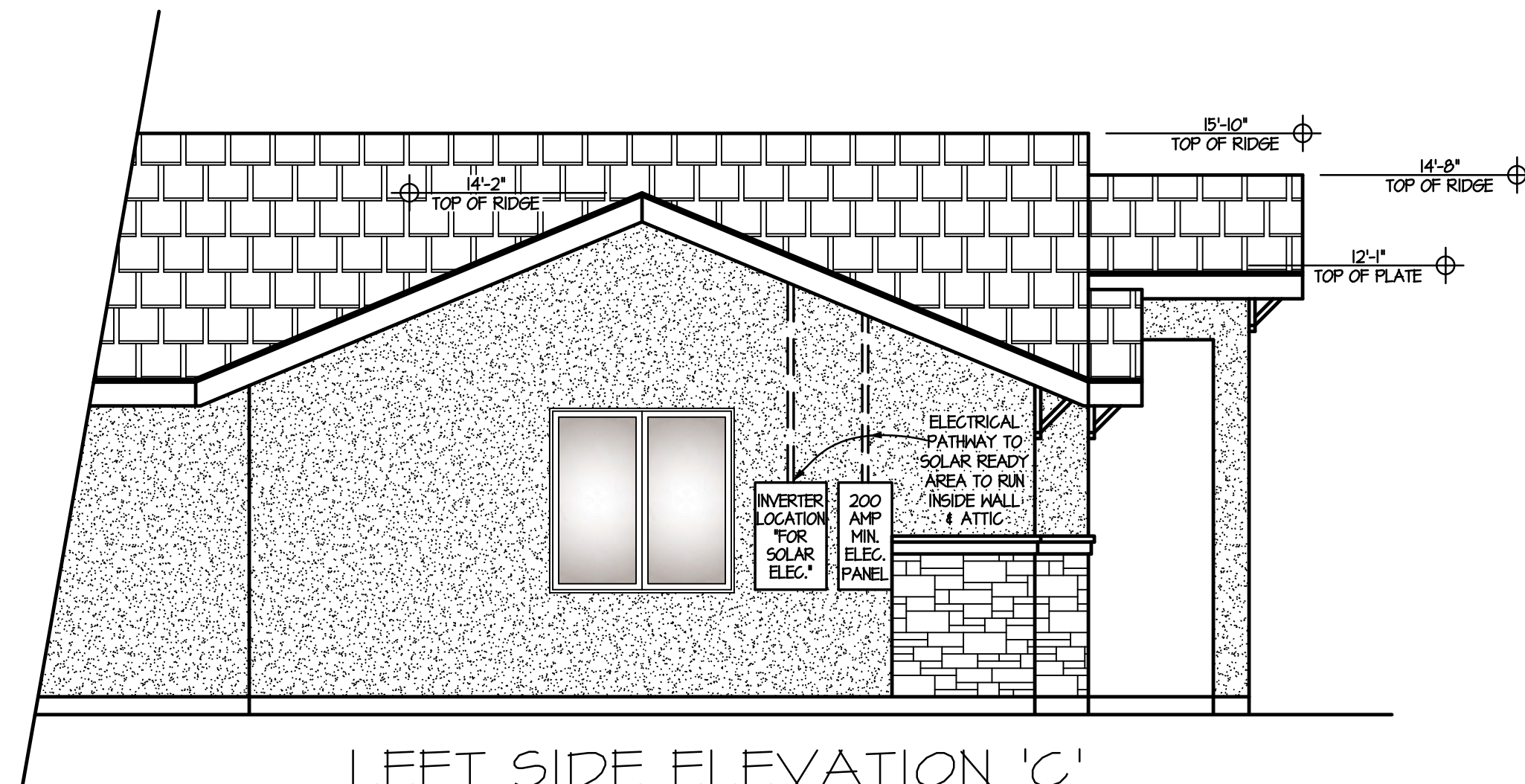
FRONT ELEVATION 'C' w/ 3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



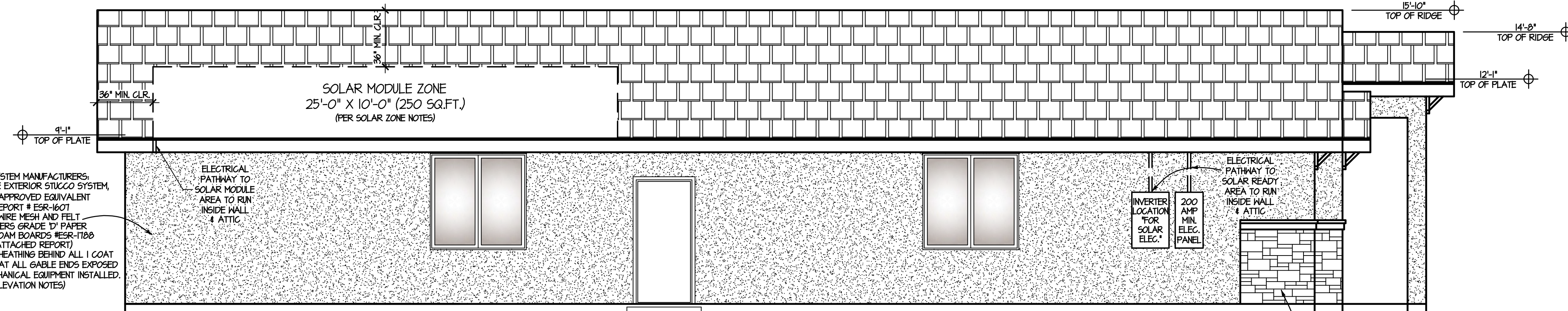
RIGHT SIDE ELEVATION 'C'

SCALE: 1/4" = 1'-0"



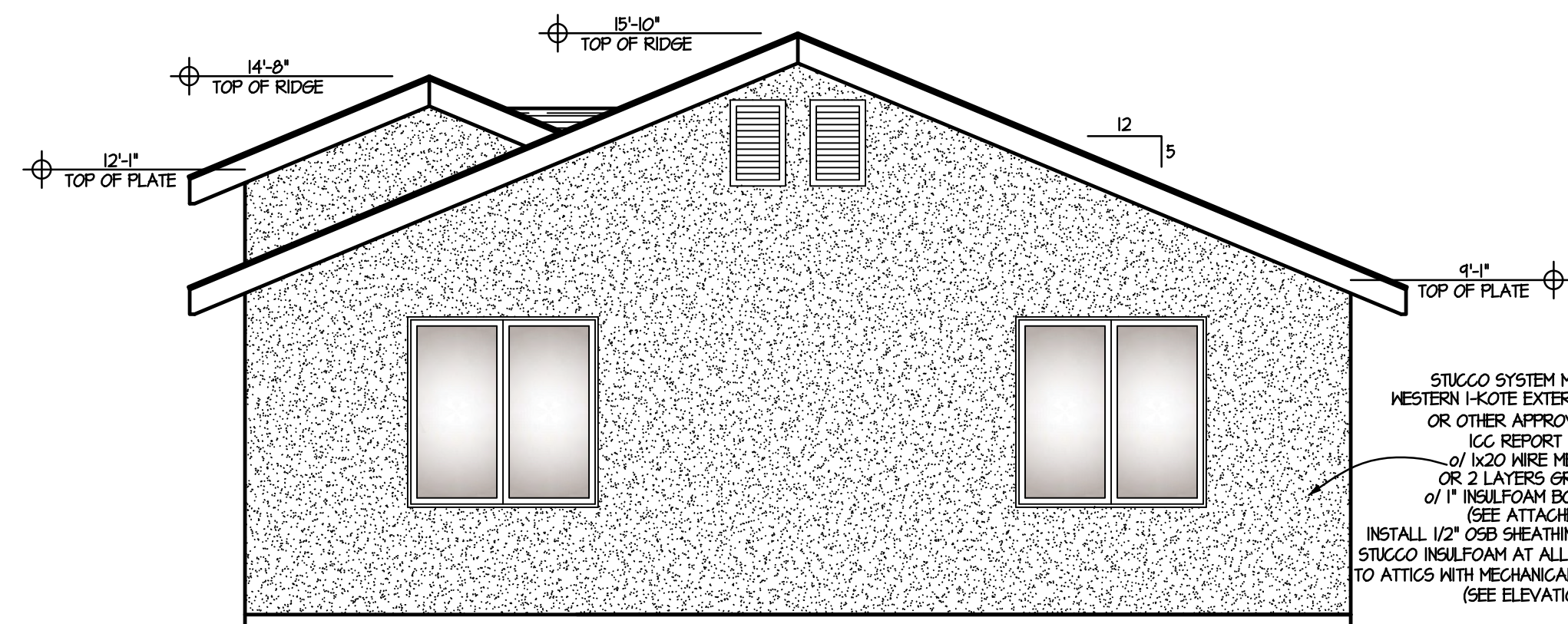
LEFT SIDE ELEVATION 'C' 3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



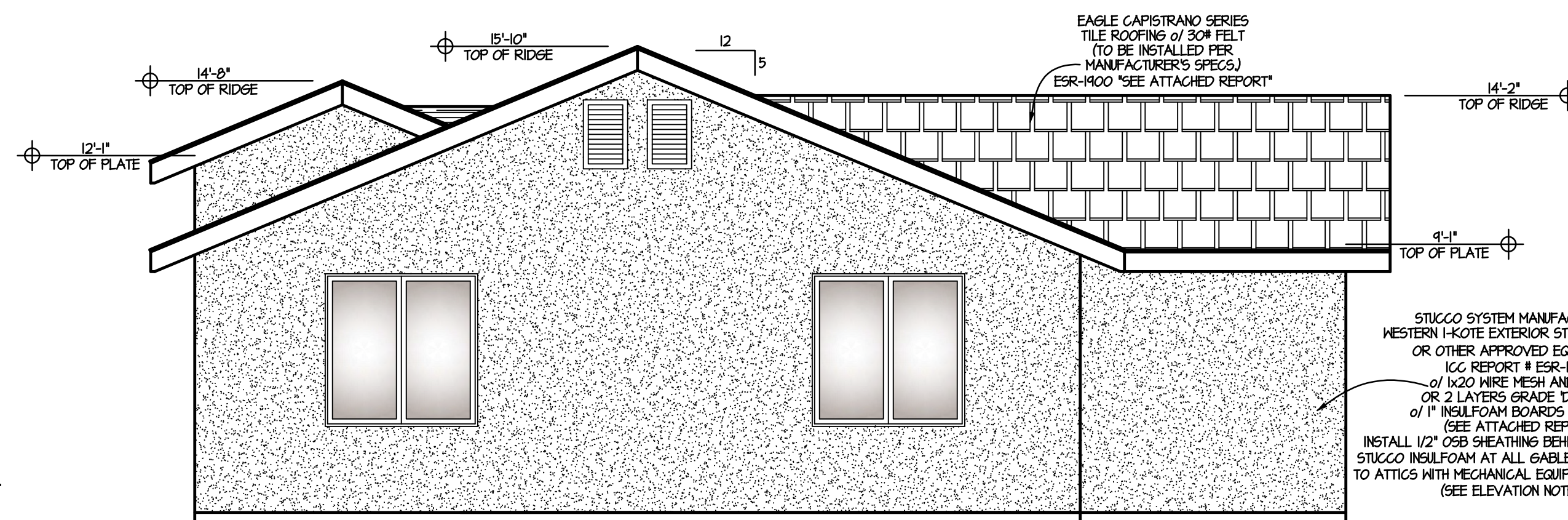
LEFT SIDE ELEVATION 'C'

SCALE: 1/4" = 1'-0"



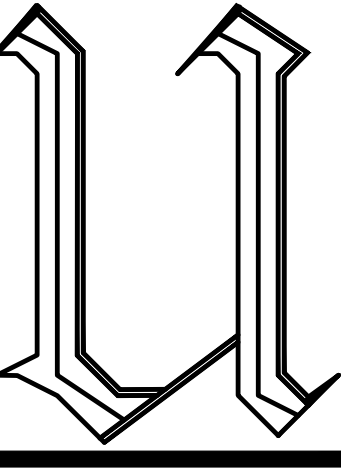
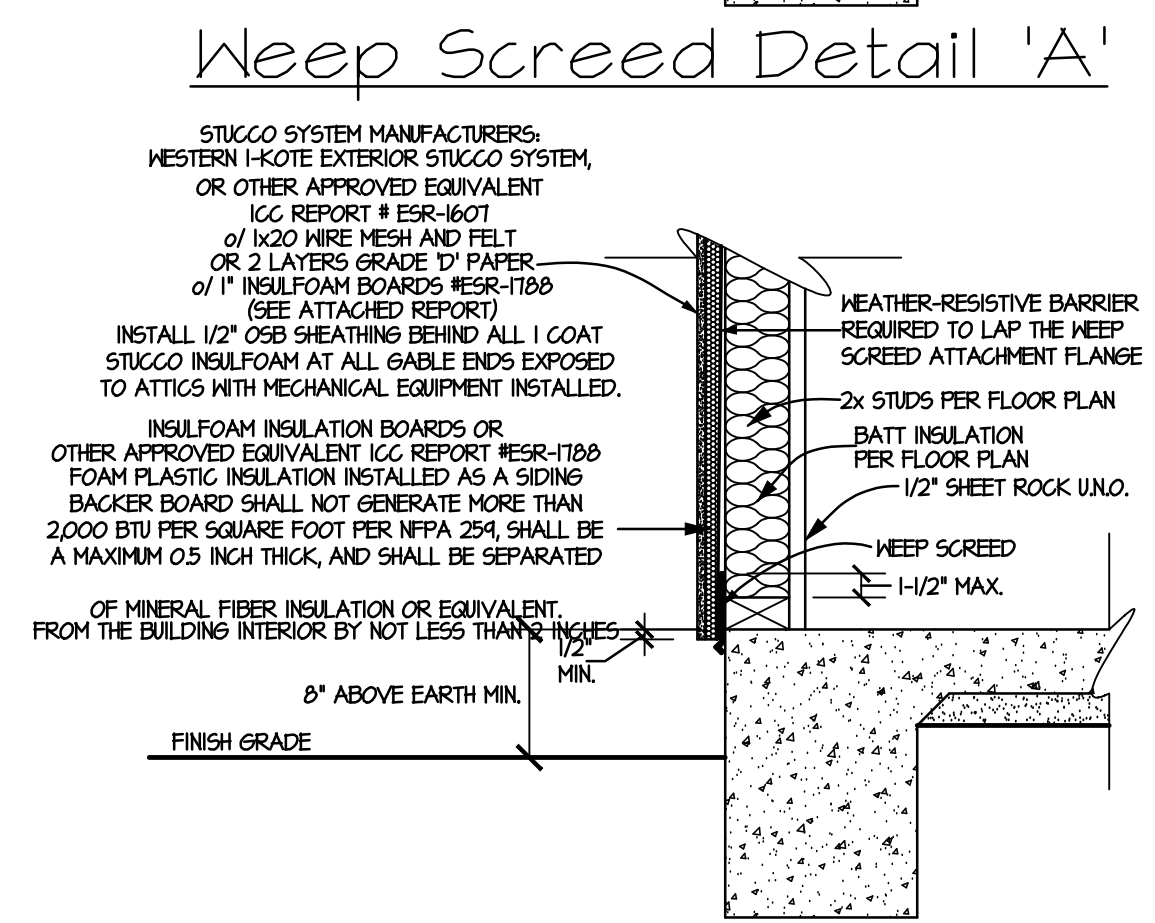
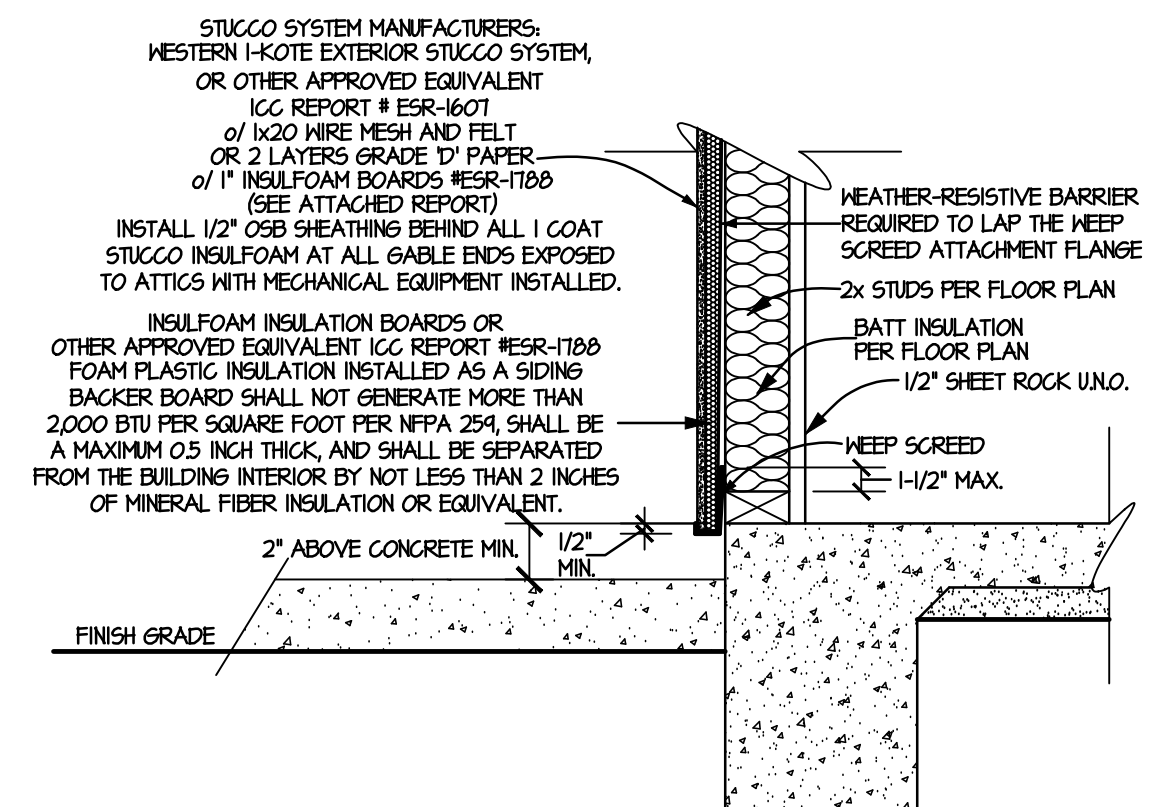
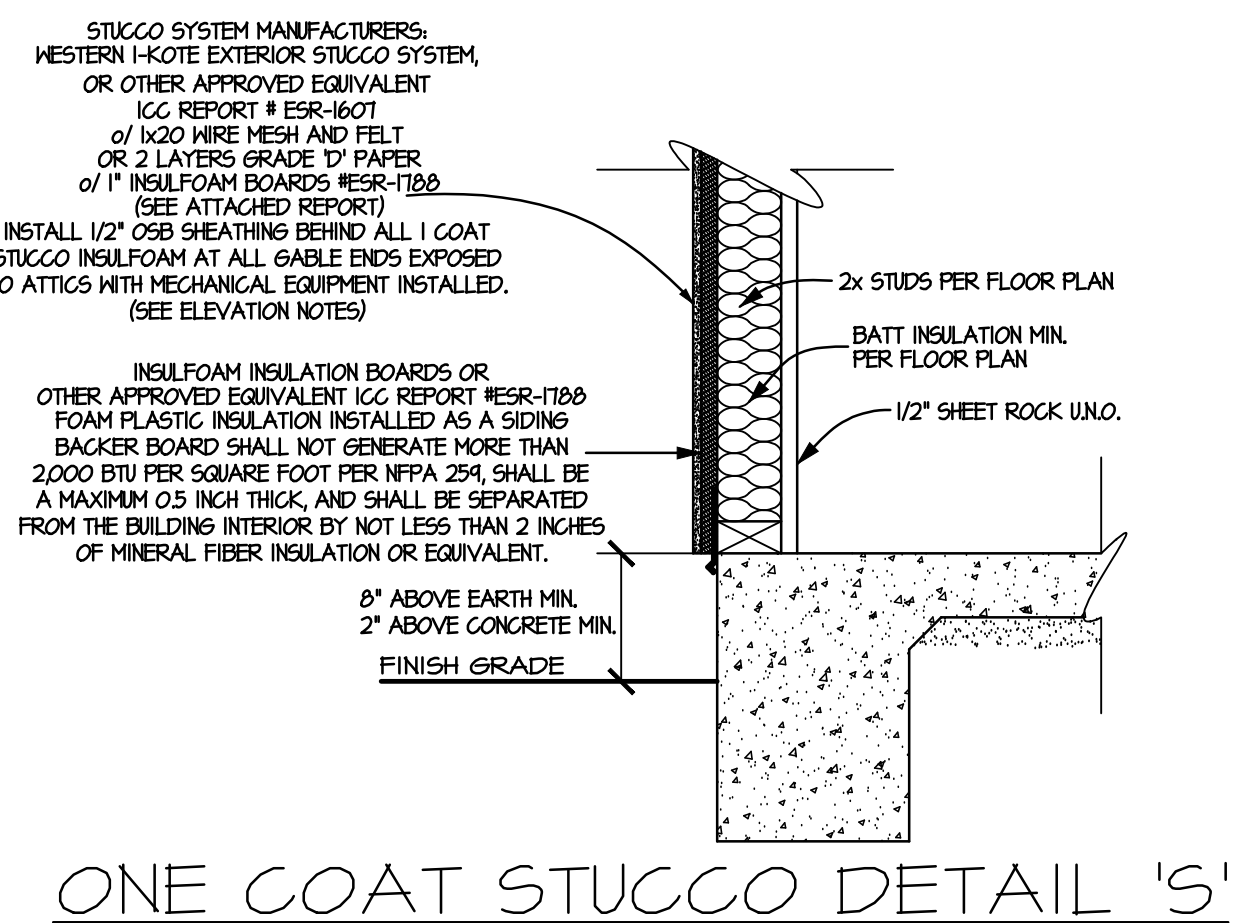
REAR ELEVATION 'C'

SCALE: 1/4" = 1'-0"



REAR ELEVATION 'C' 3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



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**Dreywood**

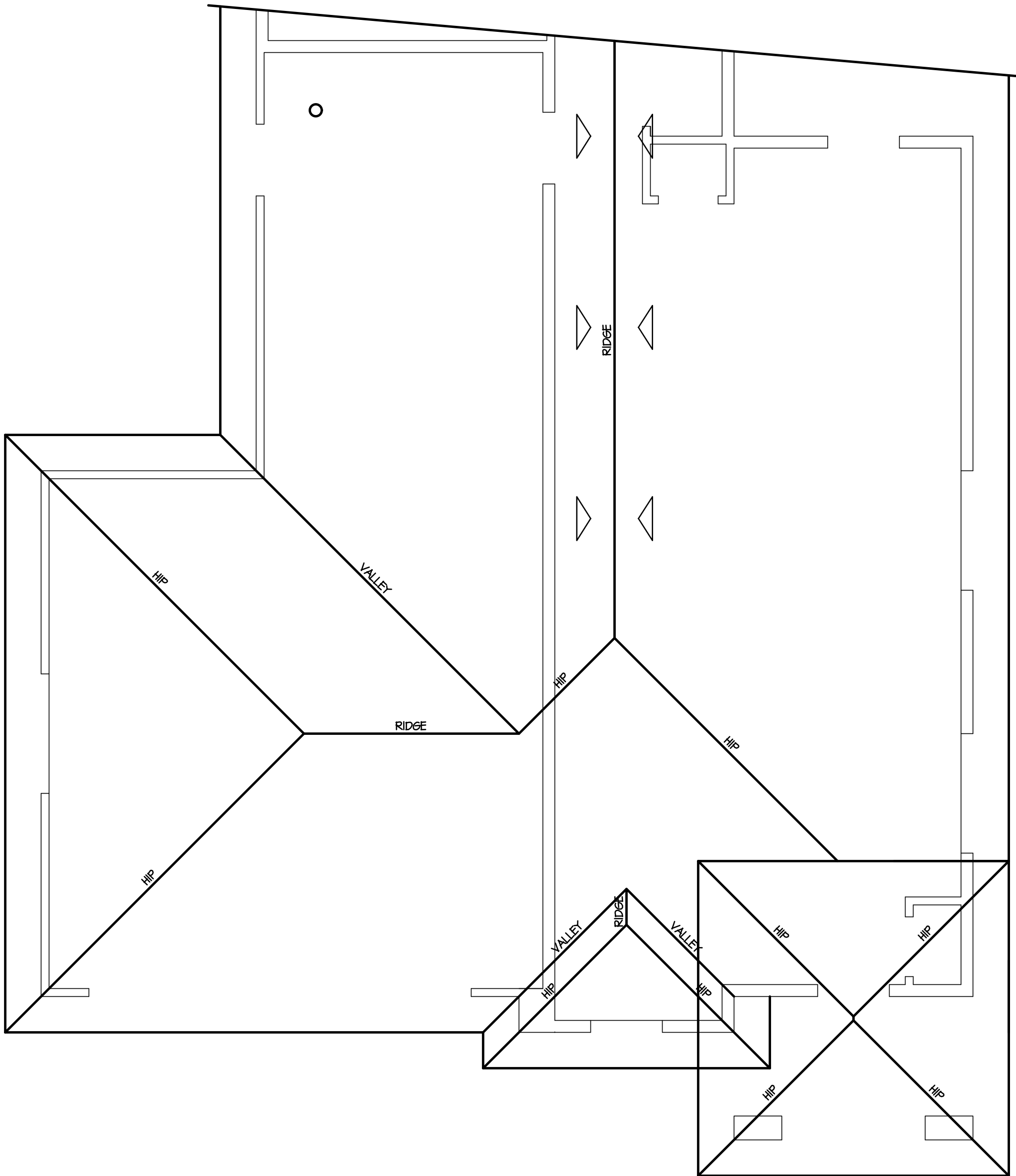
**OWNER / BUILDER:**  
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 5320 E. PINE AVENUE  
 FRESNO, CA 93727  
 Phone: (559) 275-5200  
 Email: jcrowncrownliving.com

DATE: 5 / 16 / 2022  
 SCALE: 1/4" = 1'-0"  
 JOB NO: 1400 PLAN MADERA  
 SHEET

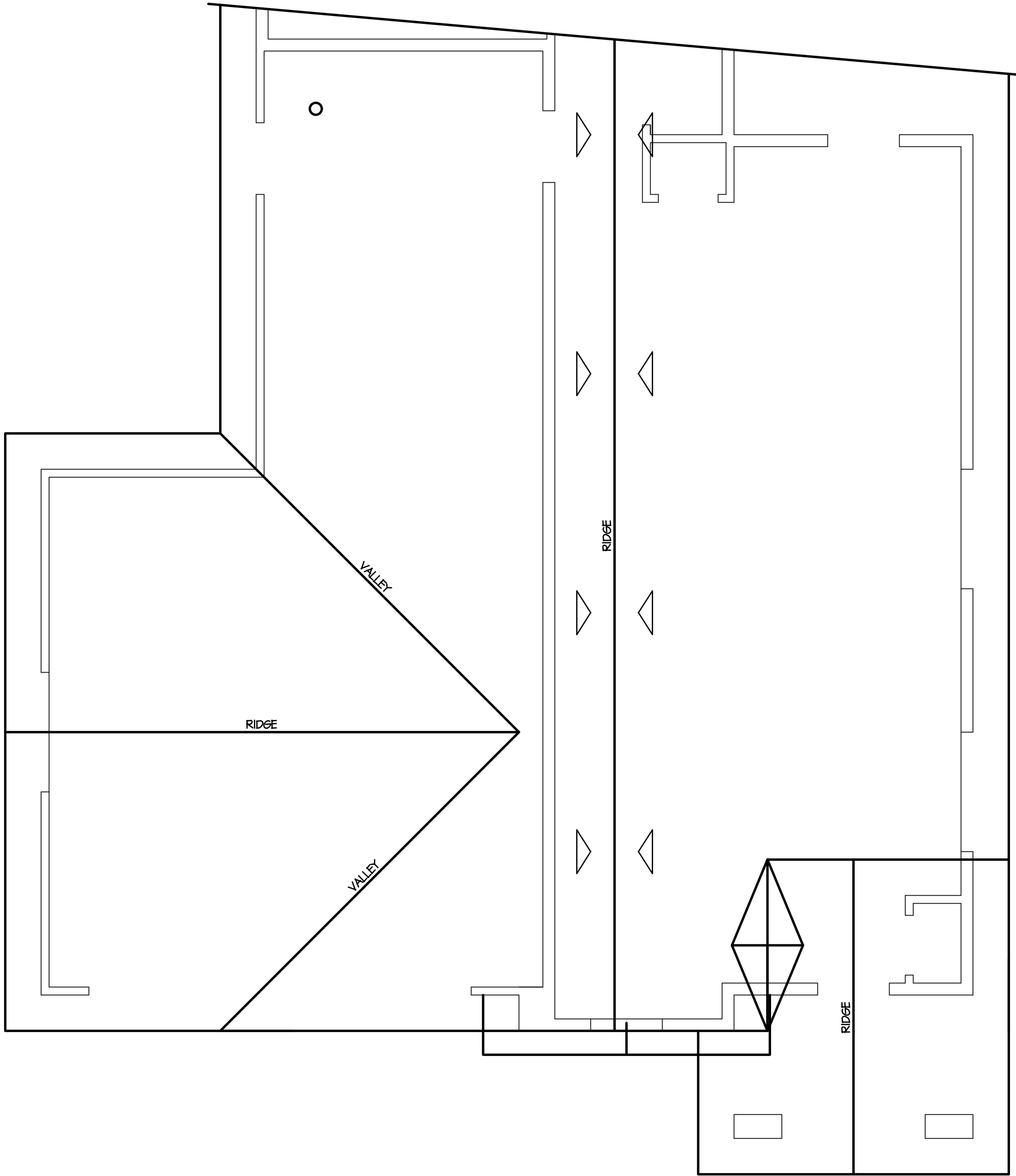
**A4**

The Regatta 1400 Plan Exterior Elevations 'C'

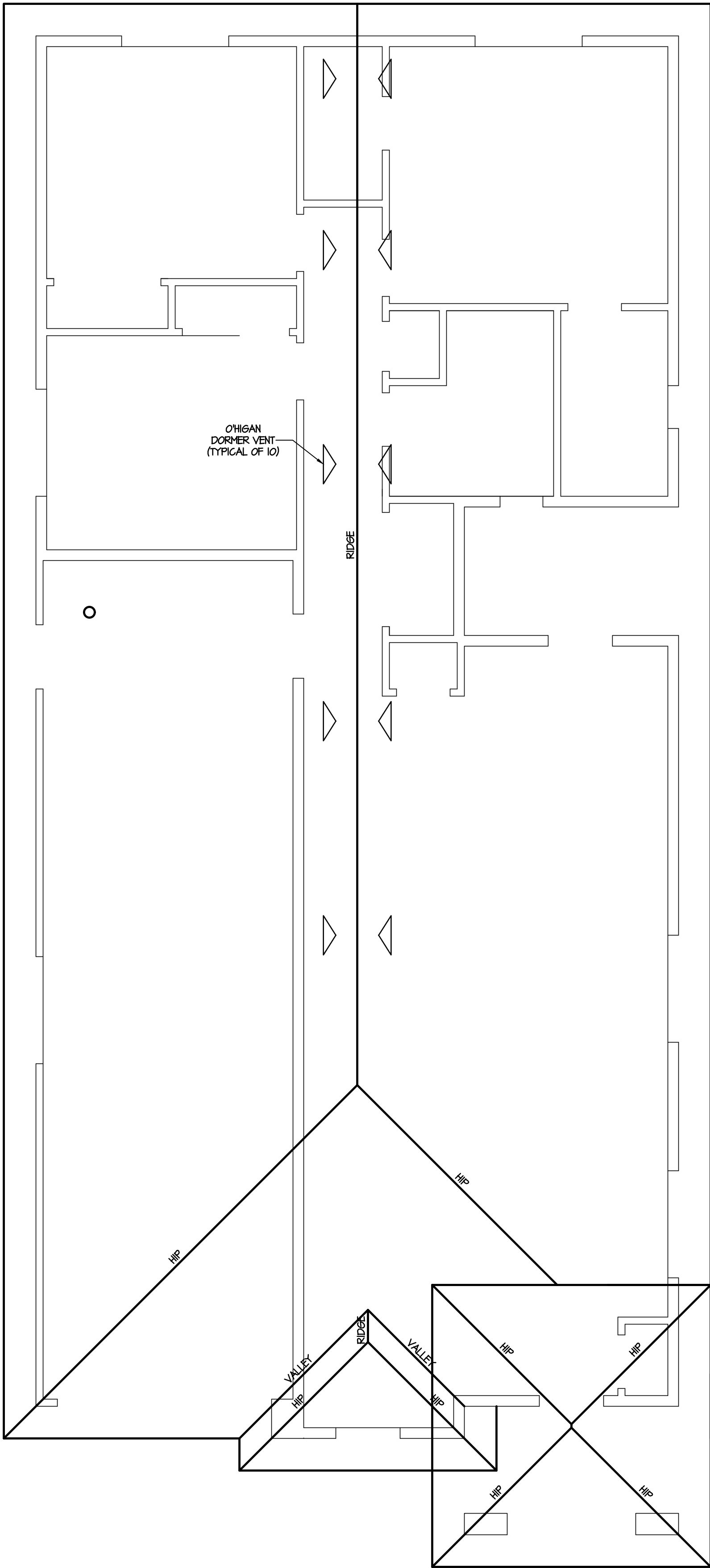




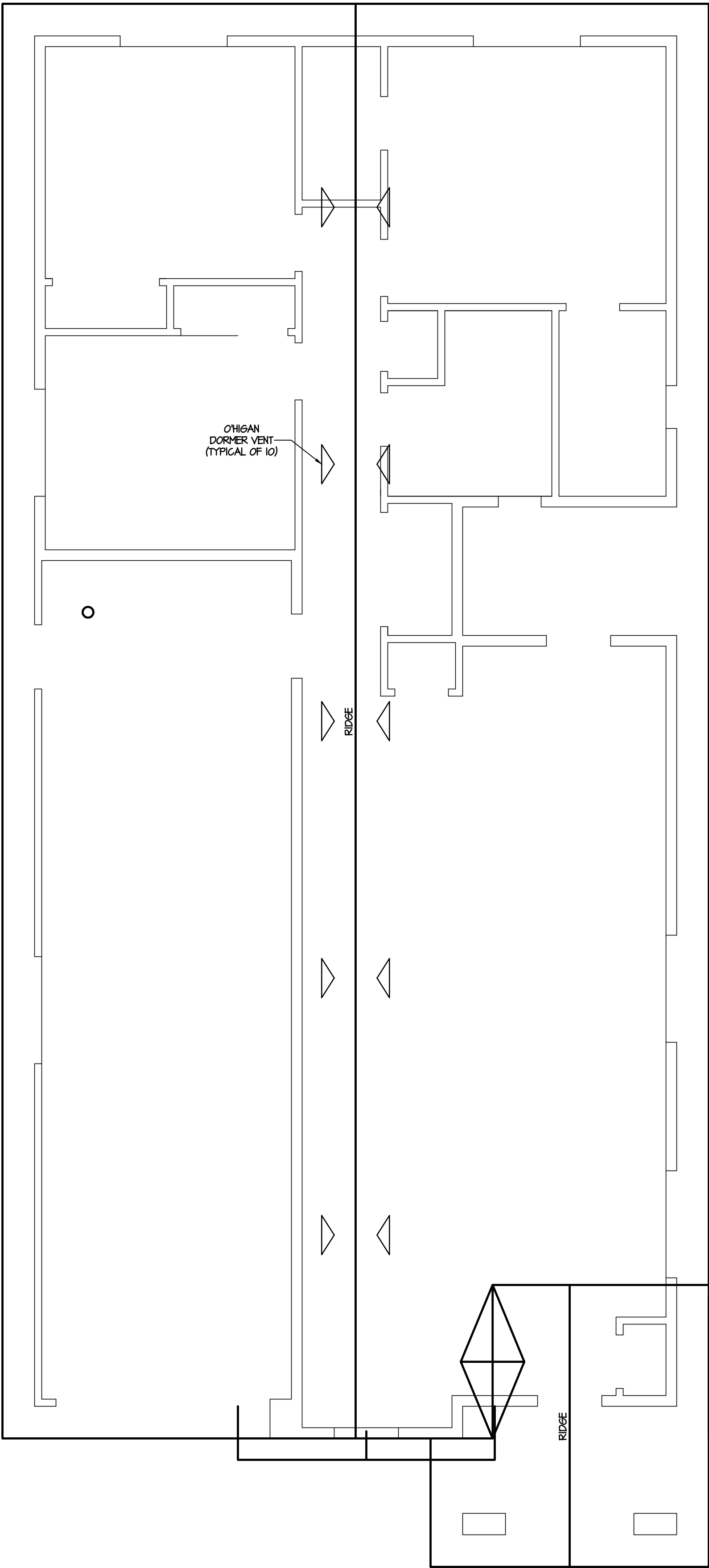
*The Regatta 1400 Plan Roof Plan 'B'*  
*w/ optional 3rd Car Garage*



*The Regatta 1400 Plan Roof Plan 'A' & 'C'*  
*w/ optional 3rd Car Garage*



*The Regatta 1400 Plan Roof Plan 'B'*



*The Regatta 1400 Plan Roof Plan 'A' & 'C'*

*The Regatta 1400 Plan Roof Plan*

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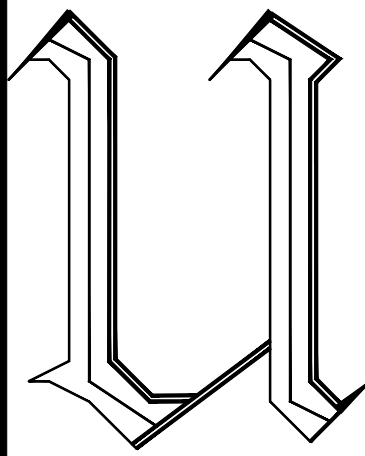
DATE  
5 / 16 / 2022  
SCALE  
1/4" = 1'-0"  
JOB NO.  
1400 PLAN MADERA  
SHEET

**S3**

*Dreywood*



*Villa Di Ubaldo*  
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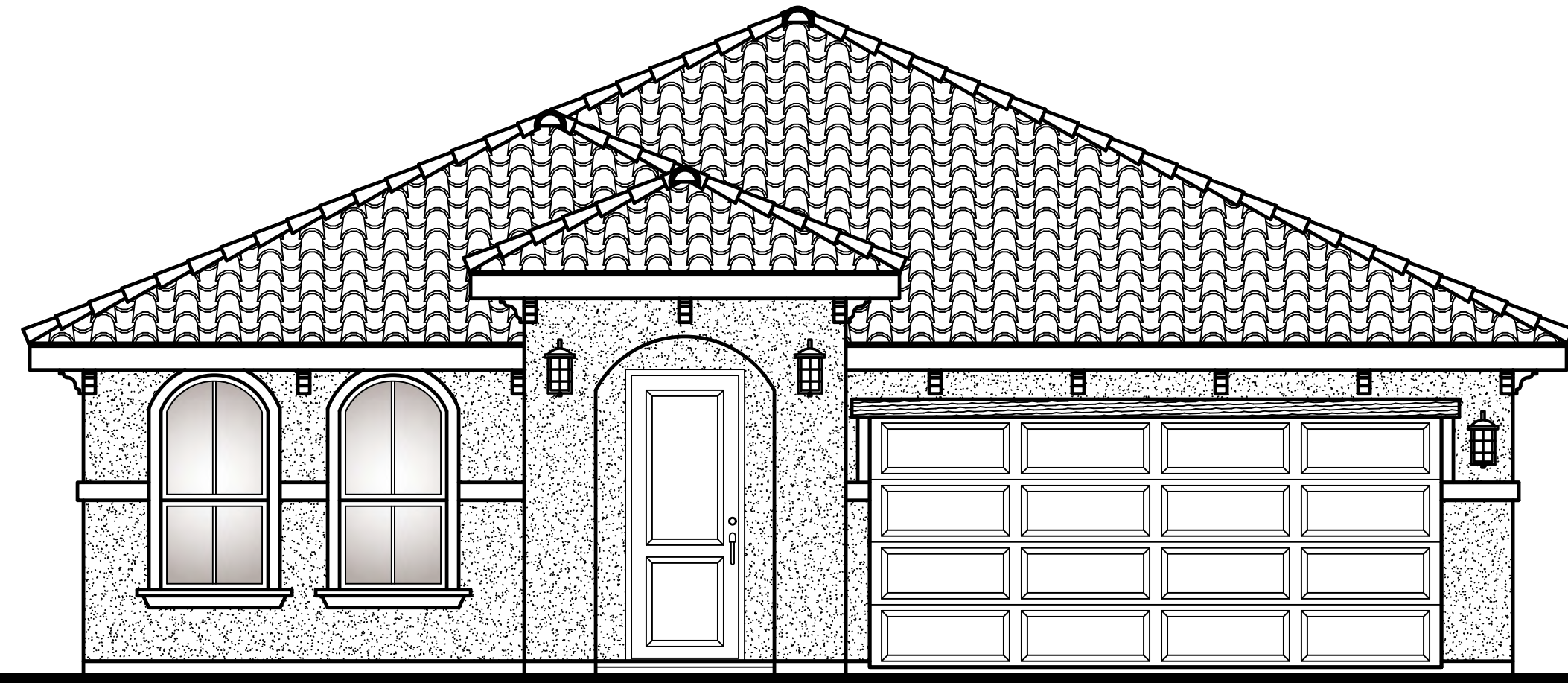




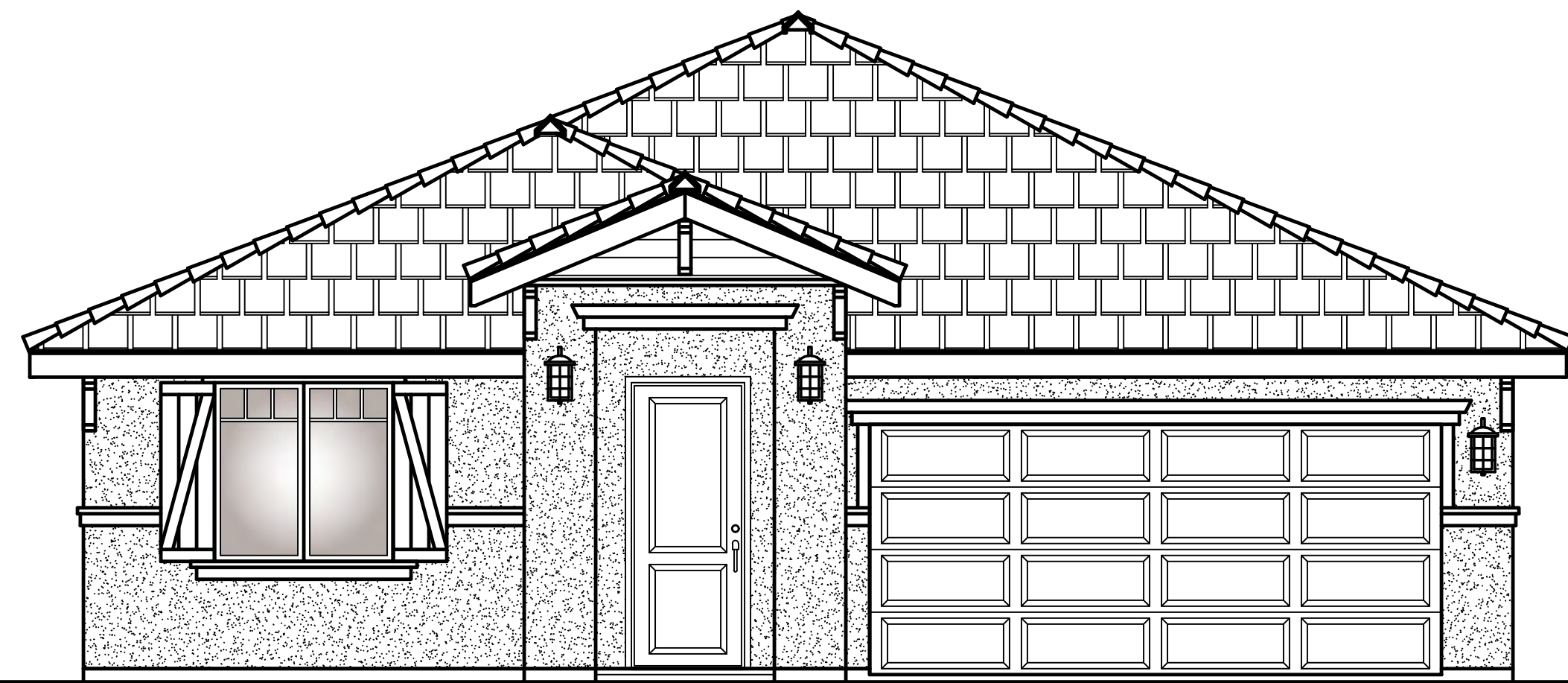
# The Abbey 1616 Standard Plan



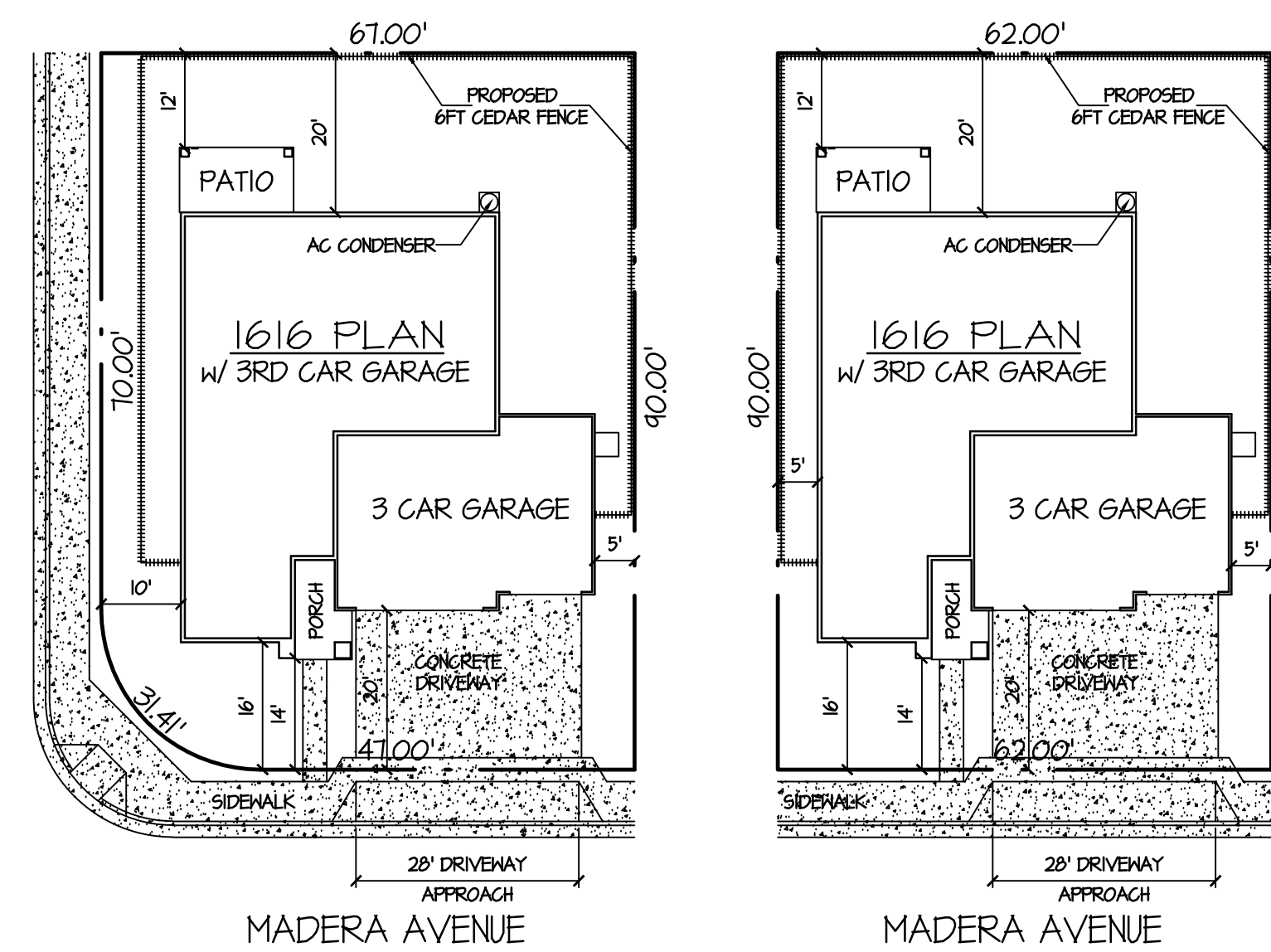
Standard Elevation 'A'



Standard Elevation 'B'



Standard Elevation 'C'

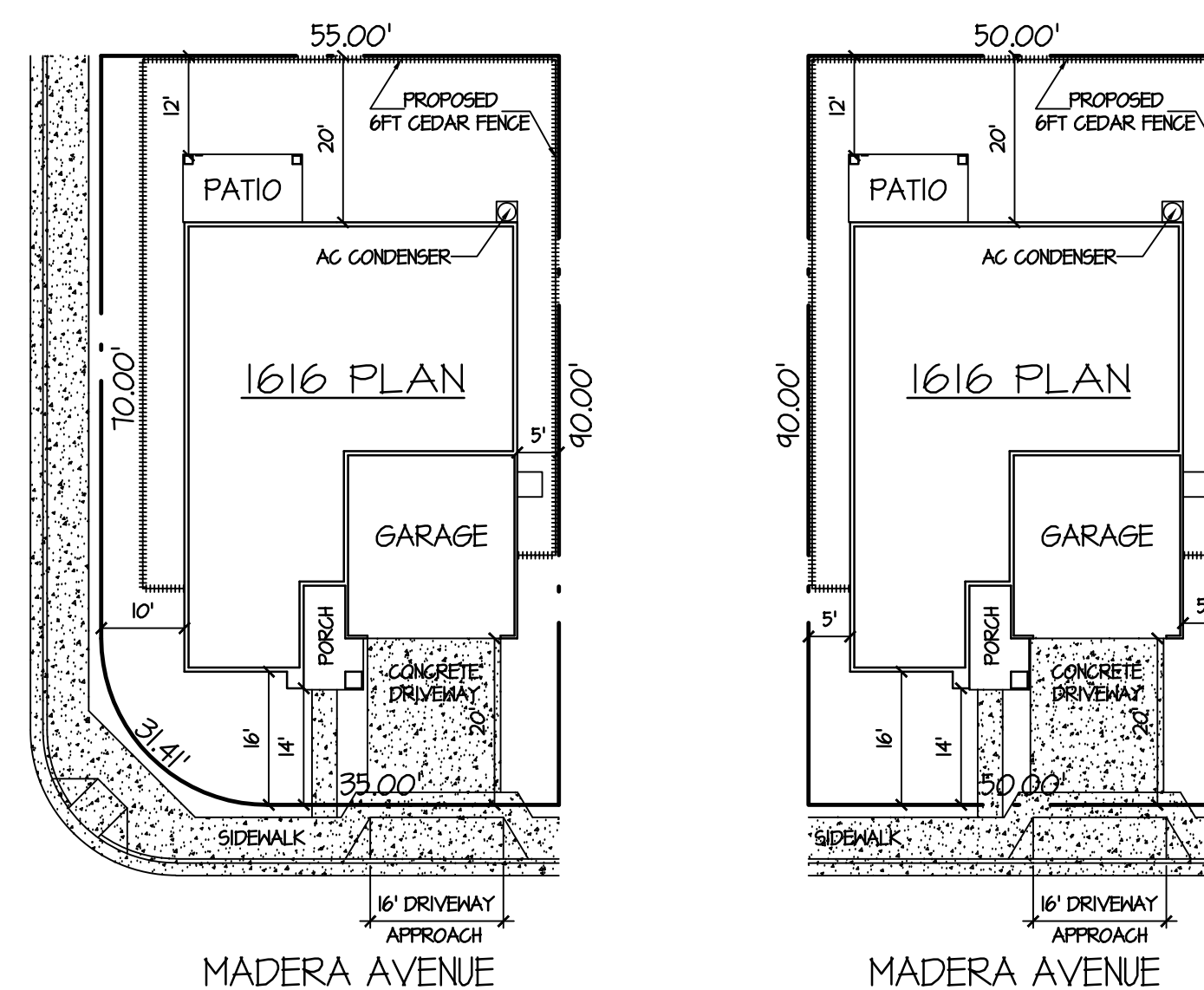


TYPICAL CORNER LOT  
PLOT PLAN  
3RD CAR GAR. OPT.  
SCALE: 1" = 20'-0"

TYPICAL INTERIOR LOT  
PLOT PLAN  
3RD CAR GAR. OPT.  
SCALE: 1" = 20'-0"

## Area:

3RD CAR GARAGE OPTION	
LIVING SPACE:	1616 sq. ft.
GARAGE:	459 sq. ft.
3RD CAR GARAGE:	272 sq. ft.
PATIO:	112 sq. ft.
PORCH:	18 sq. ft.
TOTAL LIVING:	1616 sq. ft.
TOTAL:	2,537 sq. ft.



TYPICAL CORNER LOT  
PLOT PLAN  
SCALE: 1" = 20'-0"

TYPICAL INTERIOR LOT  
PLOT PLAN  
SCALE: 1" = 20'-0"

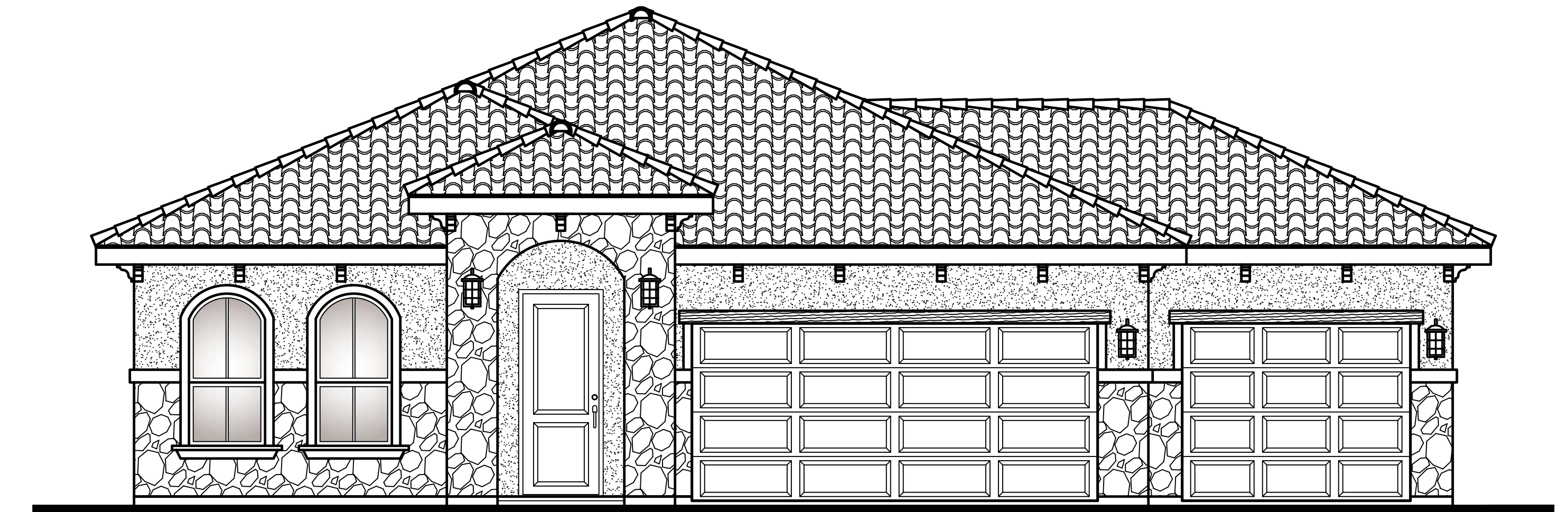
## Area:

LIVING SPACE:	1616 sq. ft.
GARAGE:	459 sq. ft.
PATIO:	112 sq. ft.
PORCH:	18 sq. ft.
TOTAL LIVING:	1616 sq. ft.
TOTAL:	2,265 sq. ft.



Upgraded Elevation 'A'

W/ OPTIONAL 3RD CAR GARAGE & 10FT PLATE



Upgraded Elevation 'B'

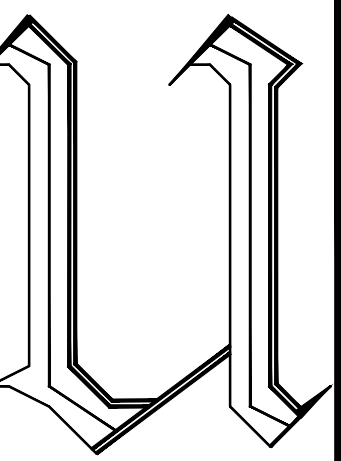
W/ OPTIONAL 3RD CAR GARAGE, 10FT PLATE & STONE VENEER



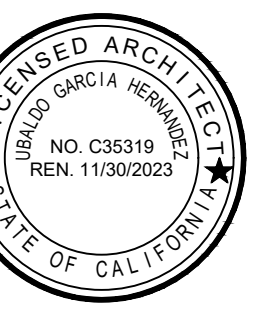
Upgraded Elevation 'C'

W/ OPTIONAL 3RD CAR GARAGE, 10FT PLATE & STONE VENEER

The Abbey 1616 Standard Plan Cover Sheet



**Villa Di Ubaldo**  
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**Dreywood**

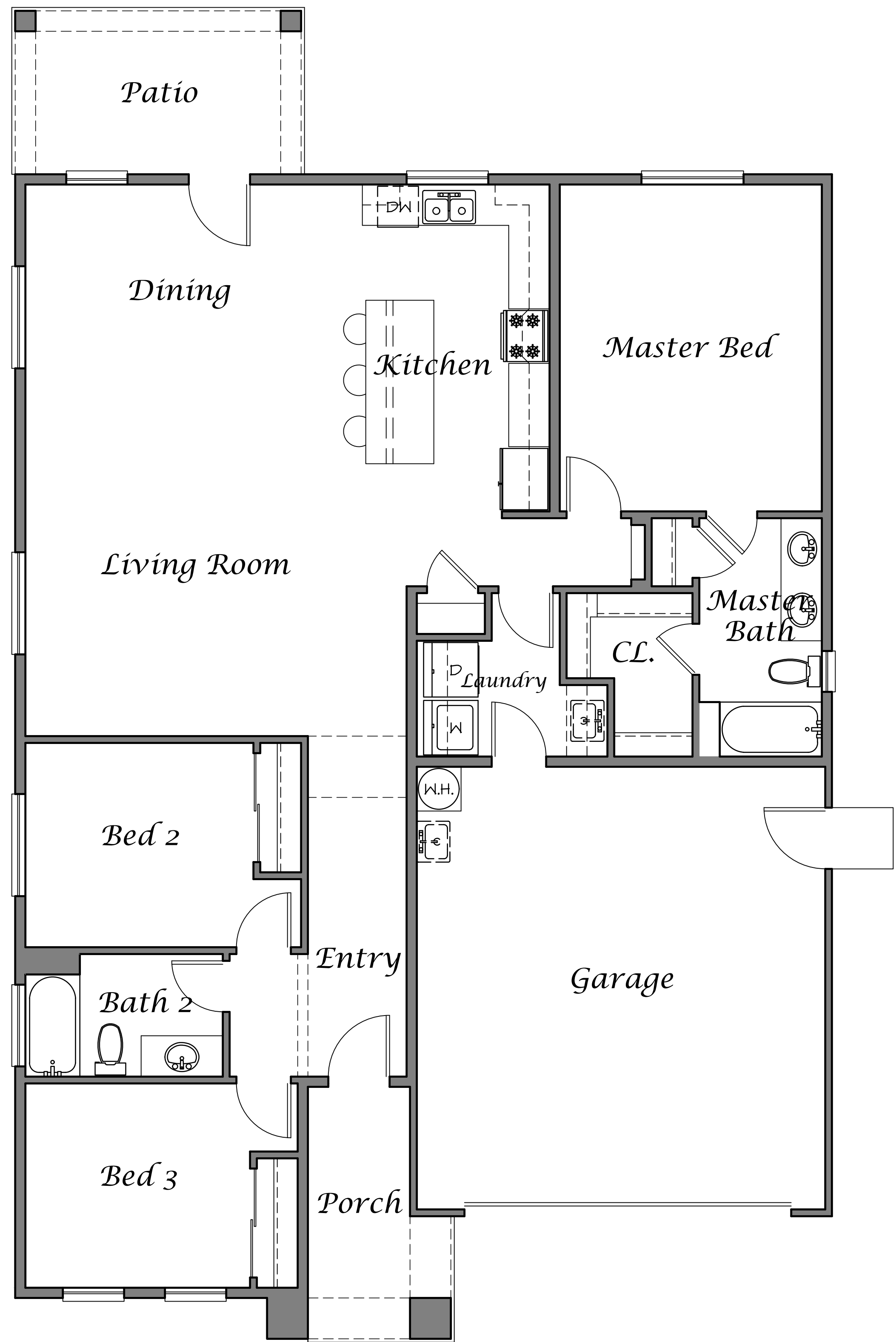
OWNER / BUILDER:  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
Phone: (559) 275-5200  
Email: jcrowncrownliving.com

DATE  
11/11/2021  
SCALE  
PER PLAN  
JOB NO.  
1616 PLAN MADERA  
SHEET

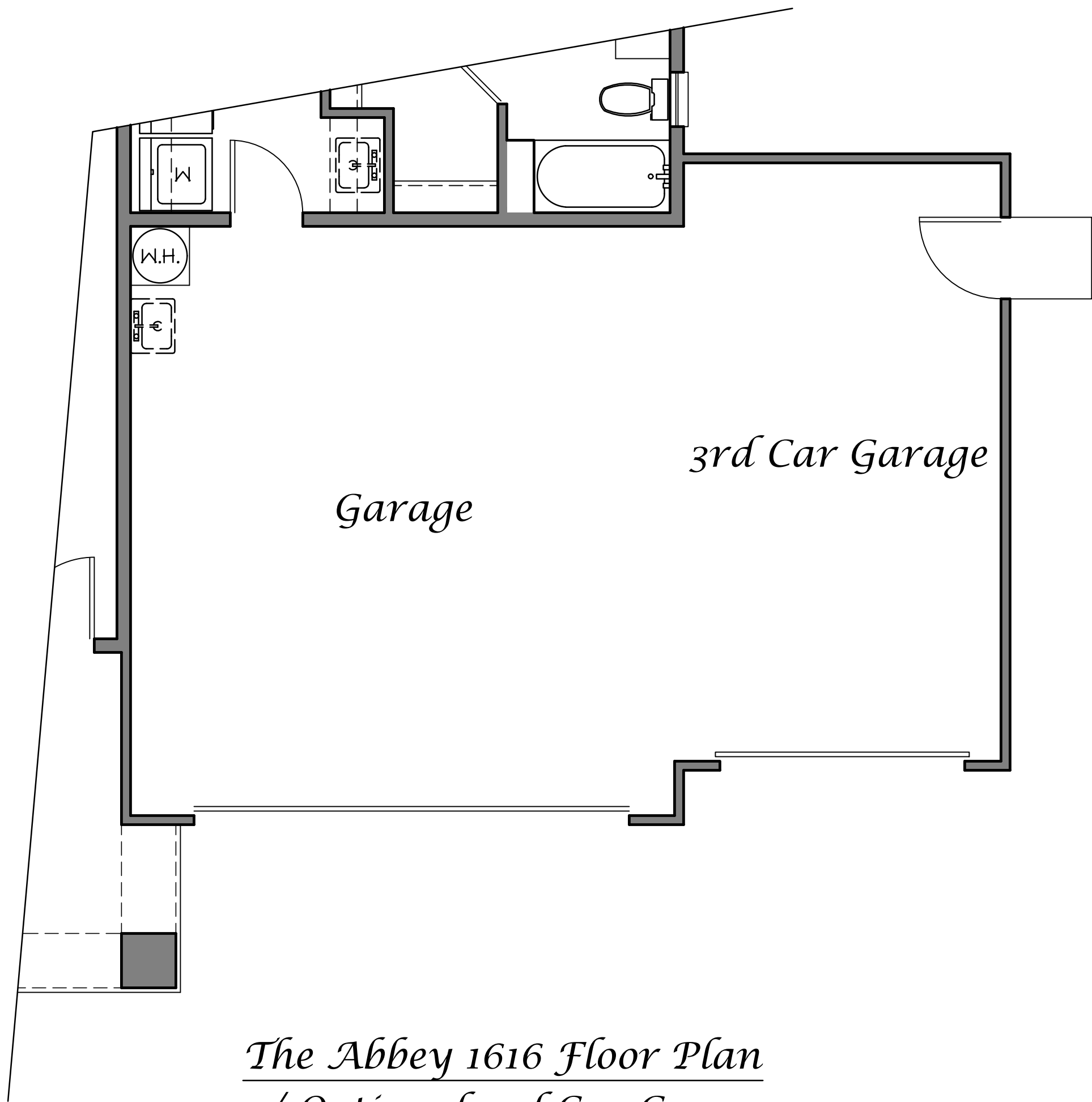
**C1**



# The Abbey 1616 Standard Plan



The Abbey 1616 Floor Plan



The Abbey 1616 Floor Plan  
w/ Optional 3rd Car Garage

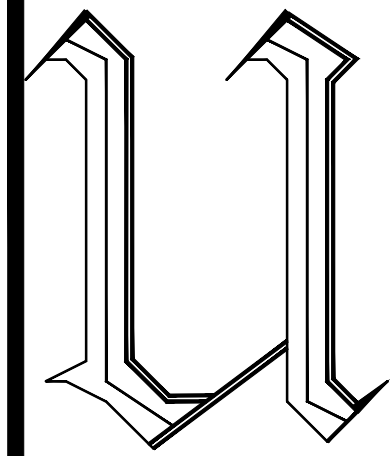
Area:

LIVING SPACE:	1,616 sq. ft.
GARAGE:	459 sq. ft.
PATIO:	112 sq. ft.
PORCH:	78 sq. ft.
TOTAL LIVING:	1,616 sq. ft.
TOTAL:	2,265 sq. ft.

Area:

3RD CAR GARAGE OPTION	
LIVING SPACE:	1,616 sq. ft.
GARAGE:	459 sq. ft.
3RD CAR GARAGE:	272 sq. ft.
PATIO:	112 sq. ft.
PORCH:	78 sq. ft.
TOTAL LIVING:	1,616 sq. ft.
TOTAL:	2,537 sq. ft.

## The Abbey 1616 Plan Floor Plan



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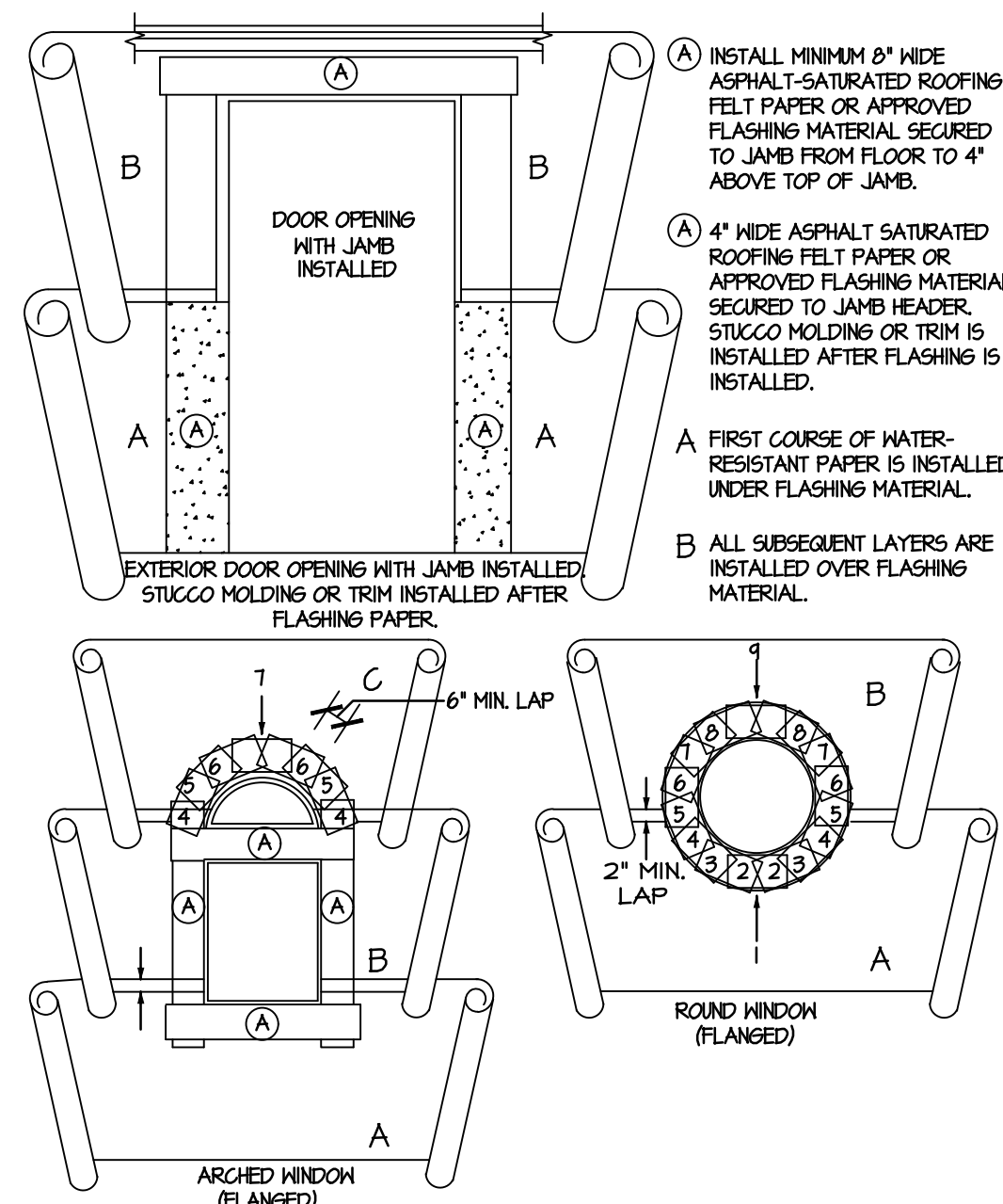
*Dreywood*

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DATE  
11 / 11 / 2021  
SCALE  
1/4" = 1'-0"  
JOB NO.  
1616 PLAN MADERA  
SHEET

**A1**



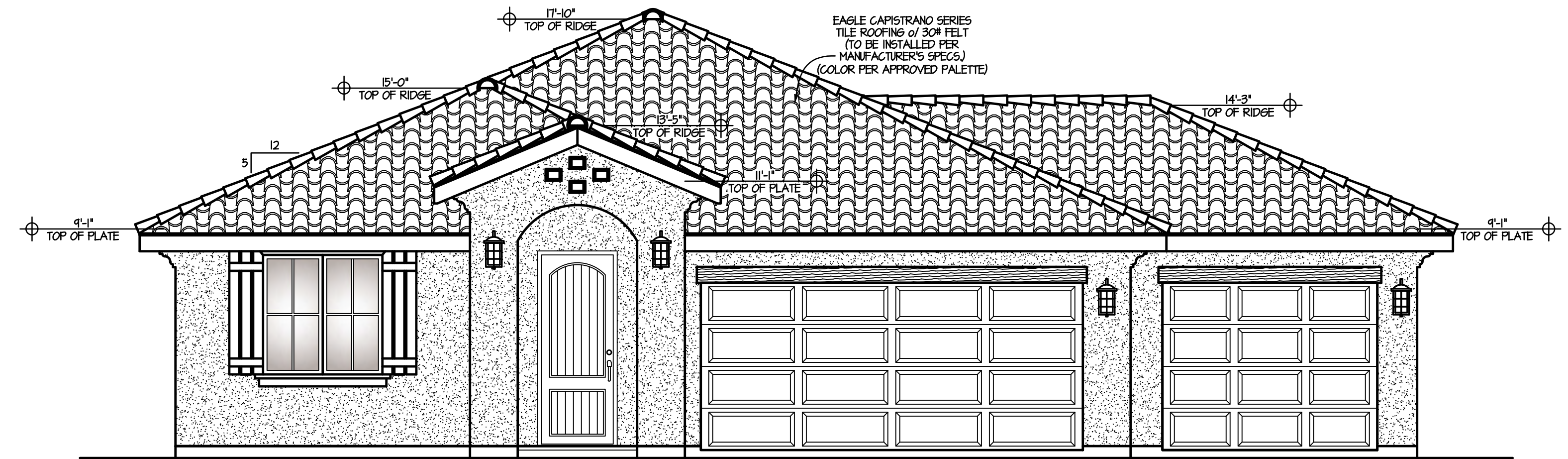


Door & Window Flashing Detail



FRONT ELEVATION 'A'

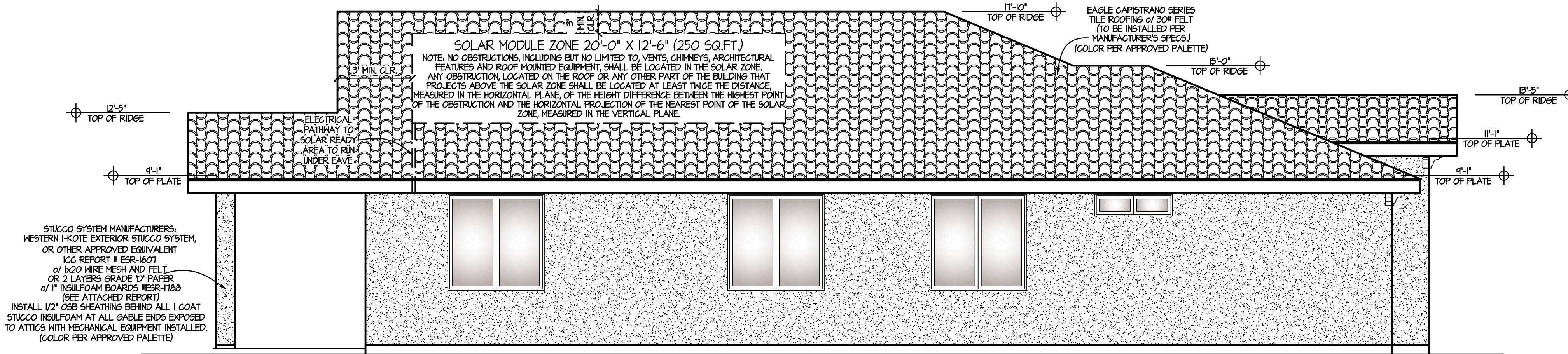
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FRONT ELEVATION 'A'

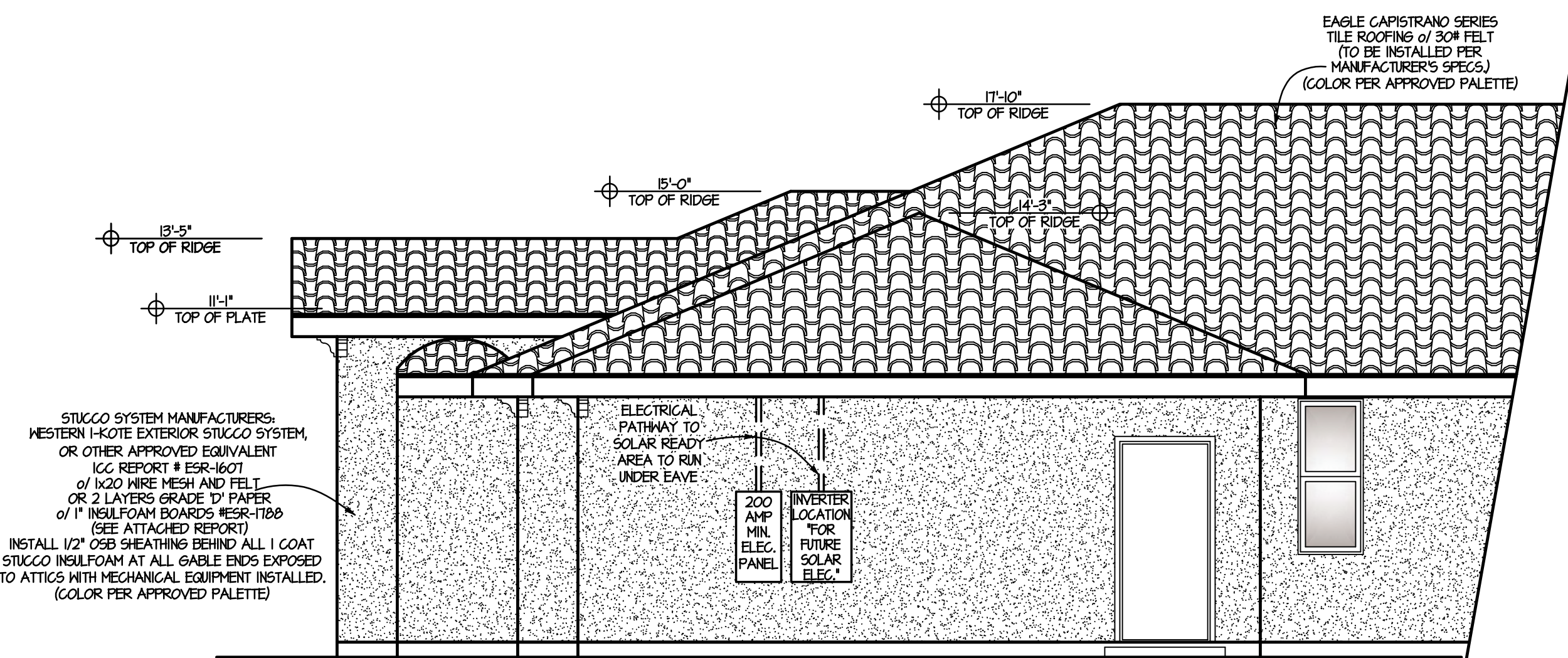
3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION 'A'

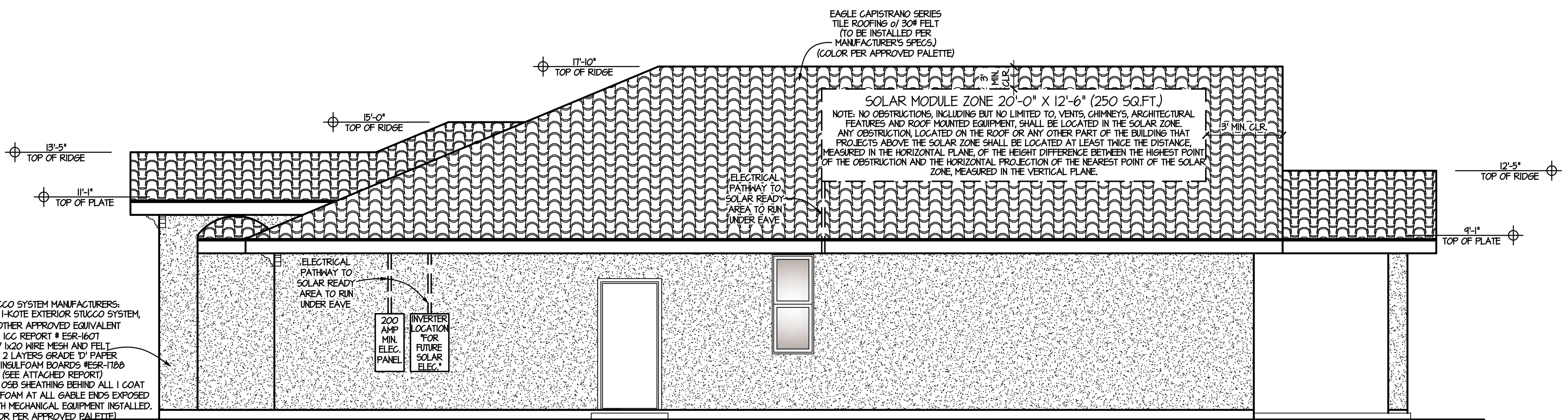
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RIGHT SIDE ELEVATION 'A'

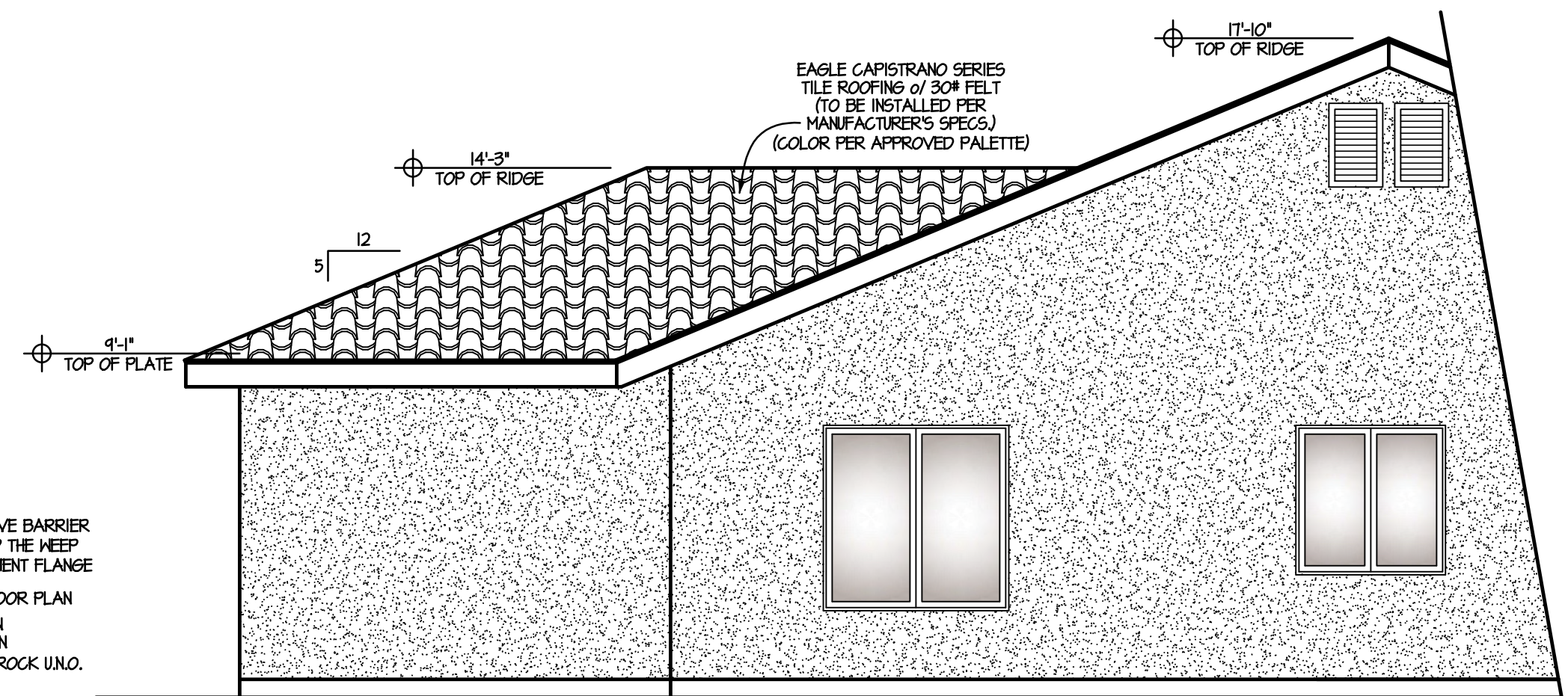
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION 'A'

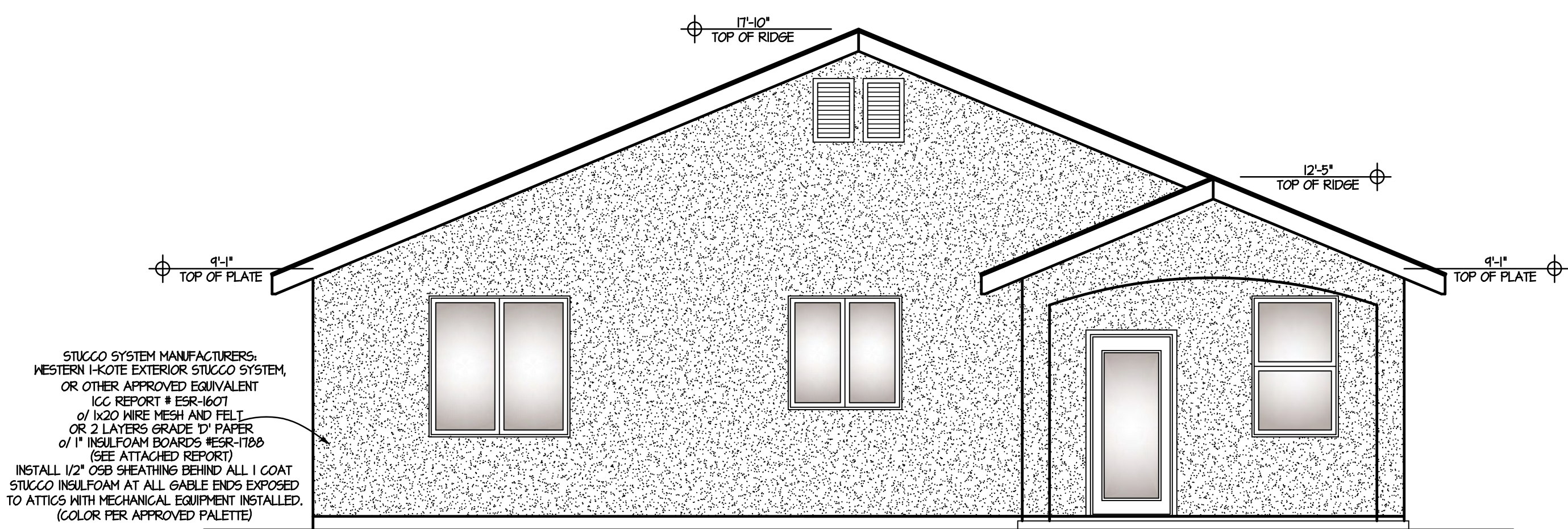
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REAR ELEVATION

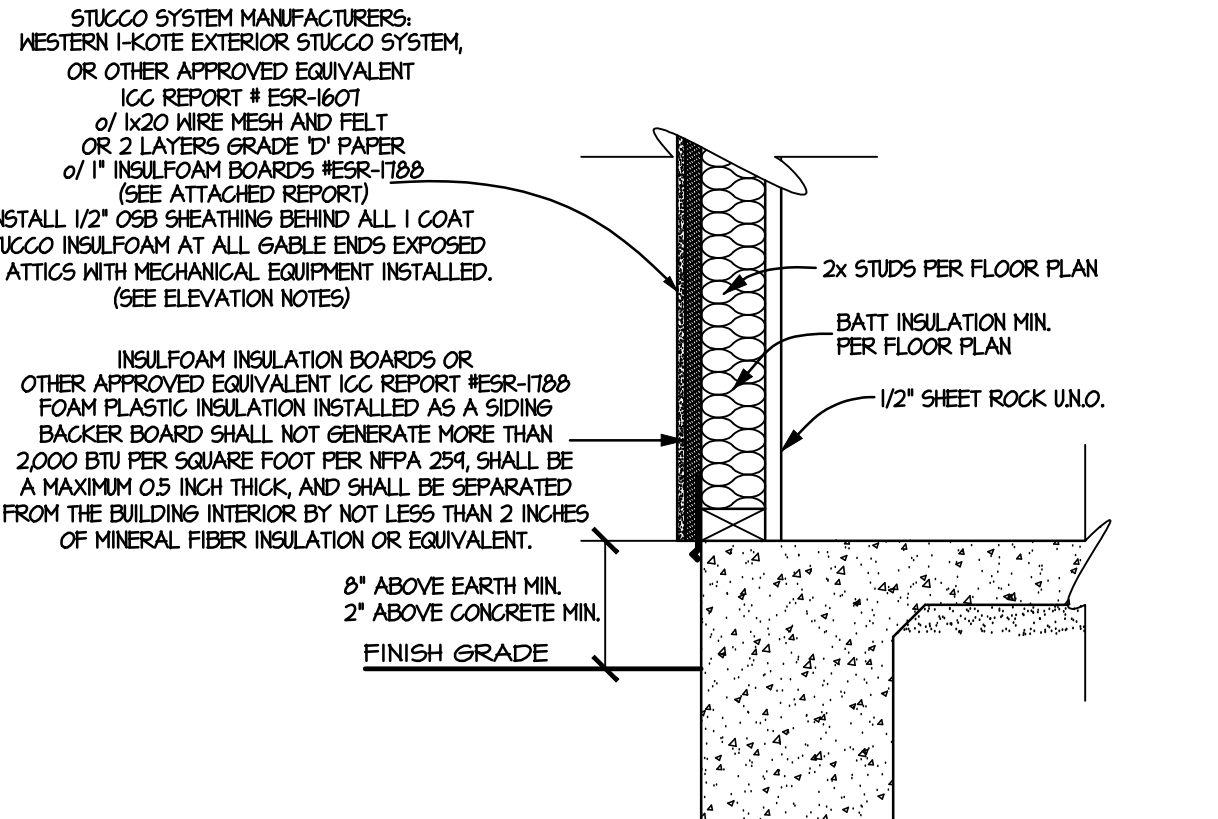
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"

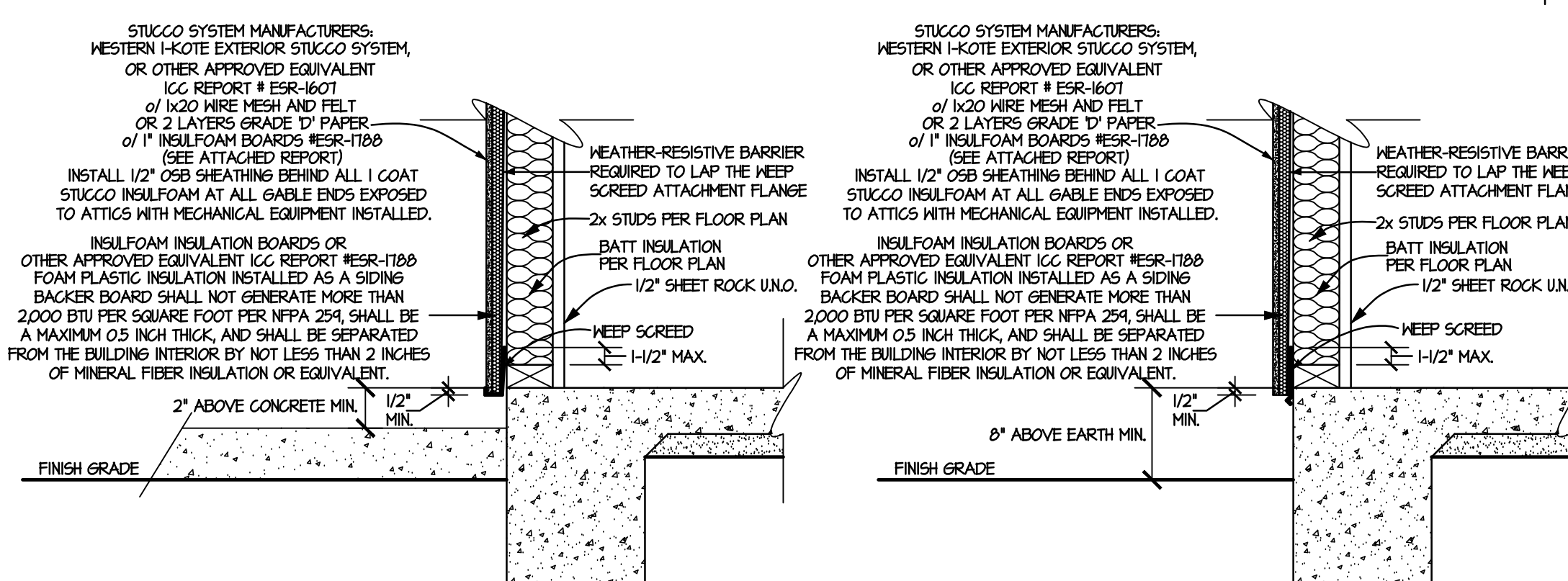


REAR ELEVATION

SCALE: 1/4" = 1'-0"



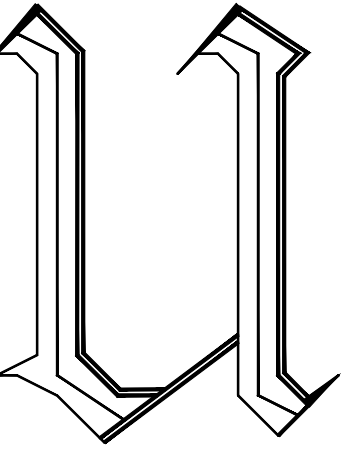
ONE COAT STUCCO DETAIL 'S'



Weep Scream Detail 'A'

Weep Scream Detail 'B'

The Abbey 1616 Plan Exterior Elevations 'A' w/ 9ft Plate



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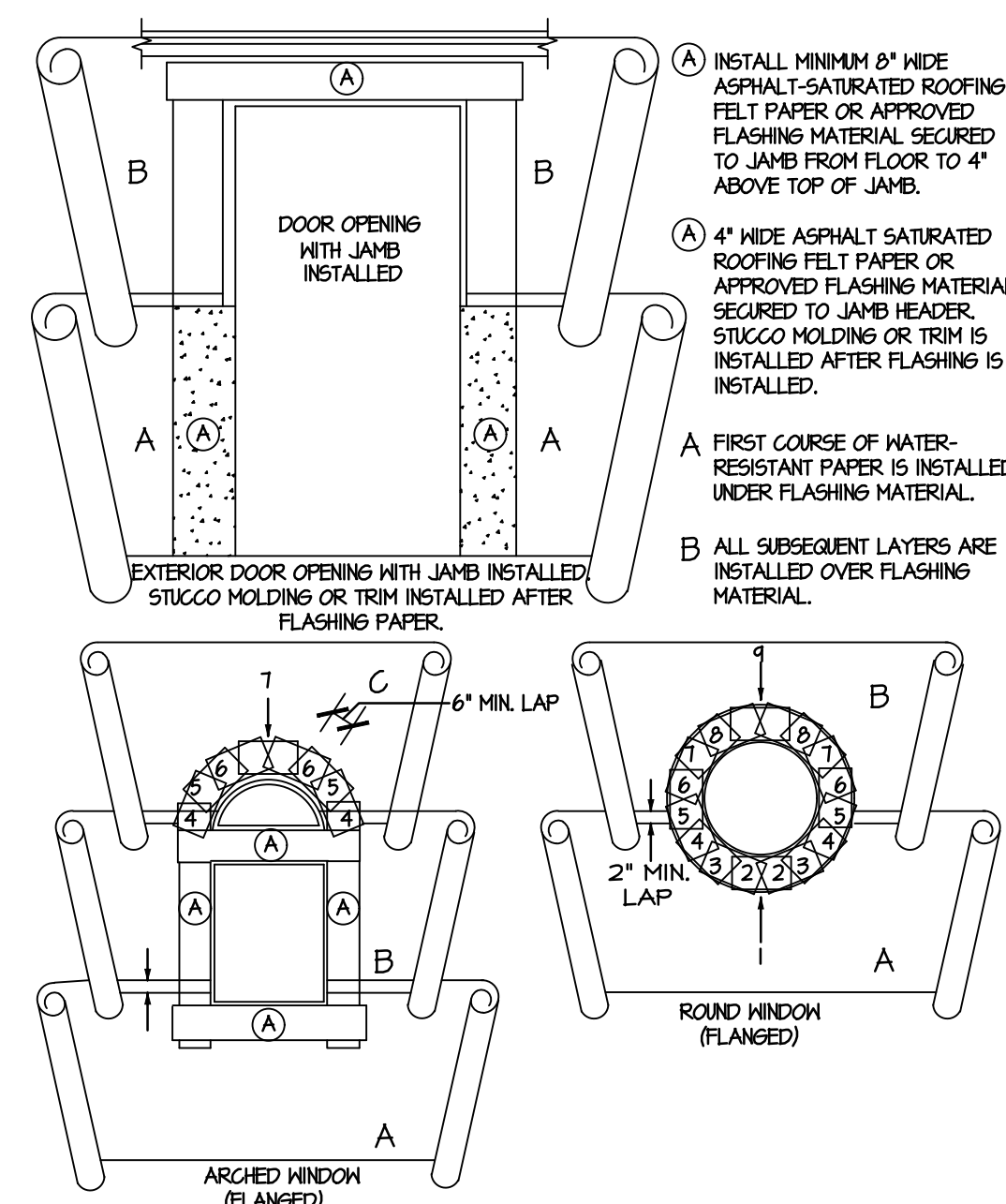
**Shreywood**

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DATE: 11/11/2021  
SCALE: 1/4" = 1'-0"  
JOB NO.: 1616 PLAN MADERA  
SHEET

**A2**





Door & Window Flashing Detail



FRONT ELEVATION 'A'

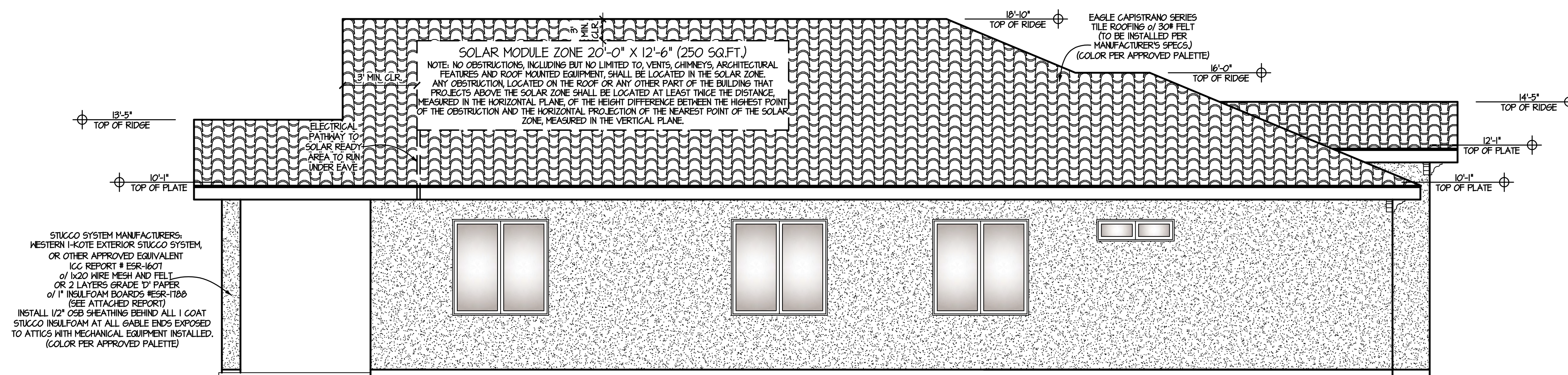
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FRONT ELEVATION 'A'

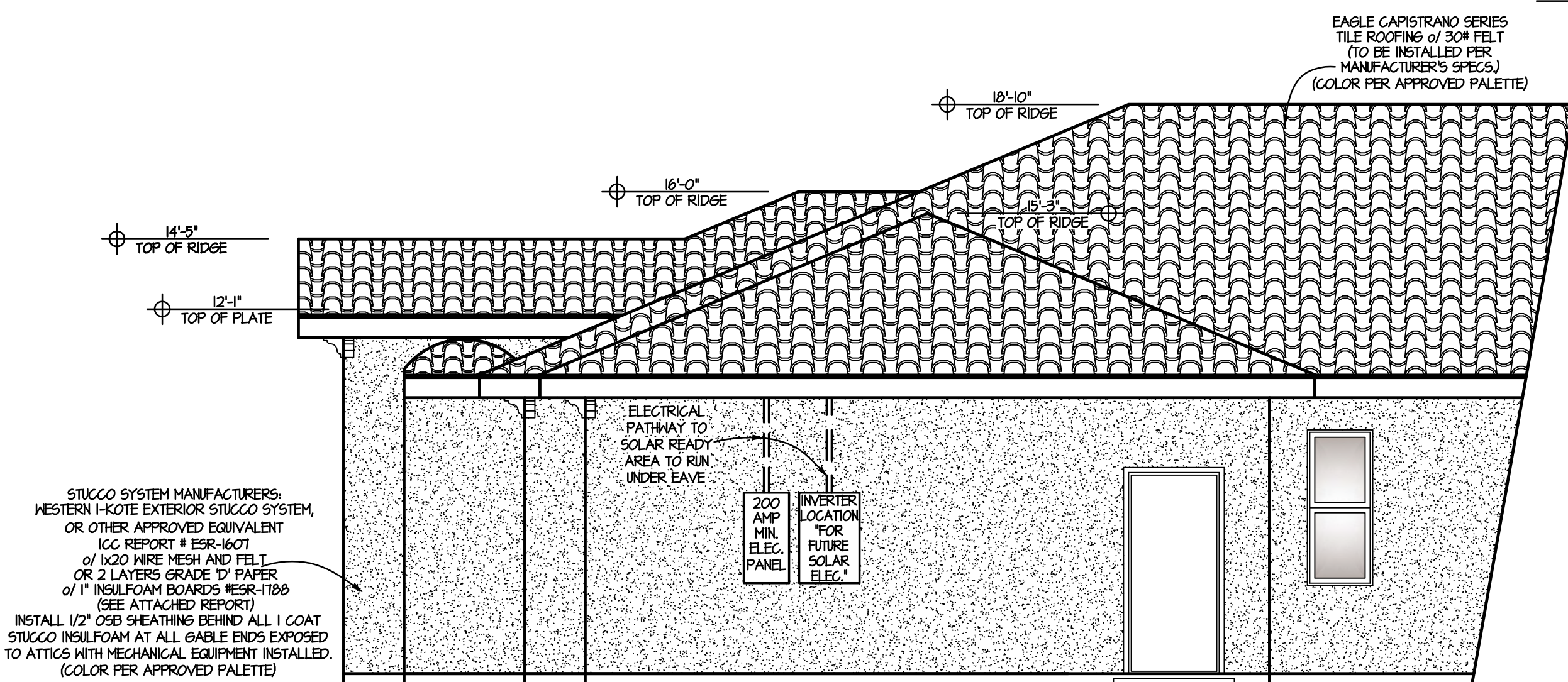
3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION 'A'

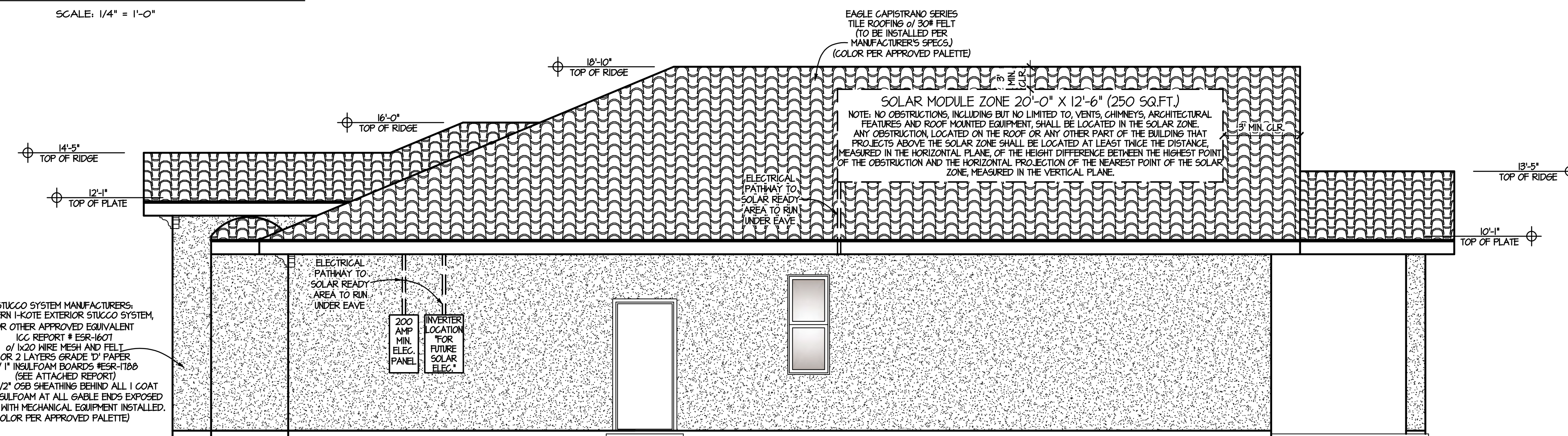
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RIGHT SIDE ELEVATION 'A'

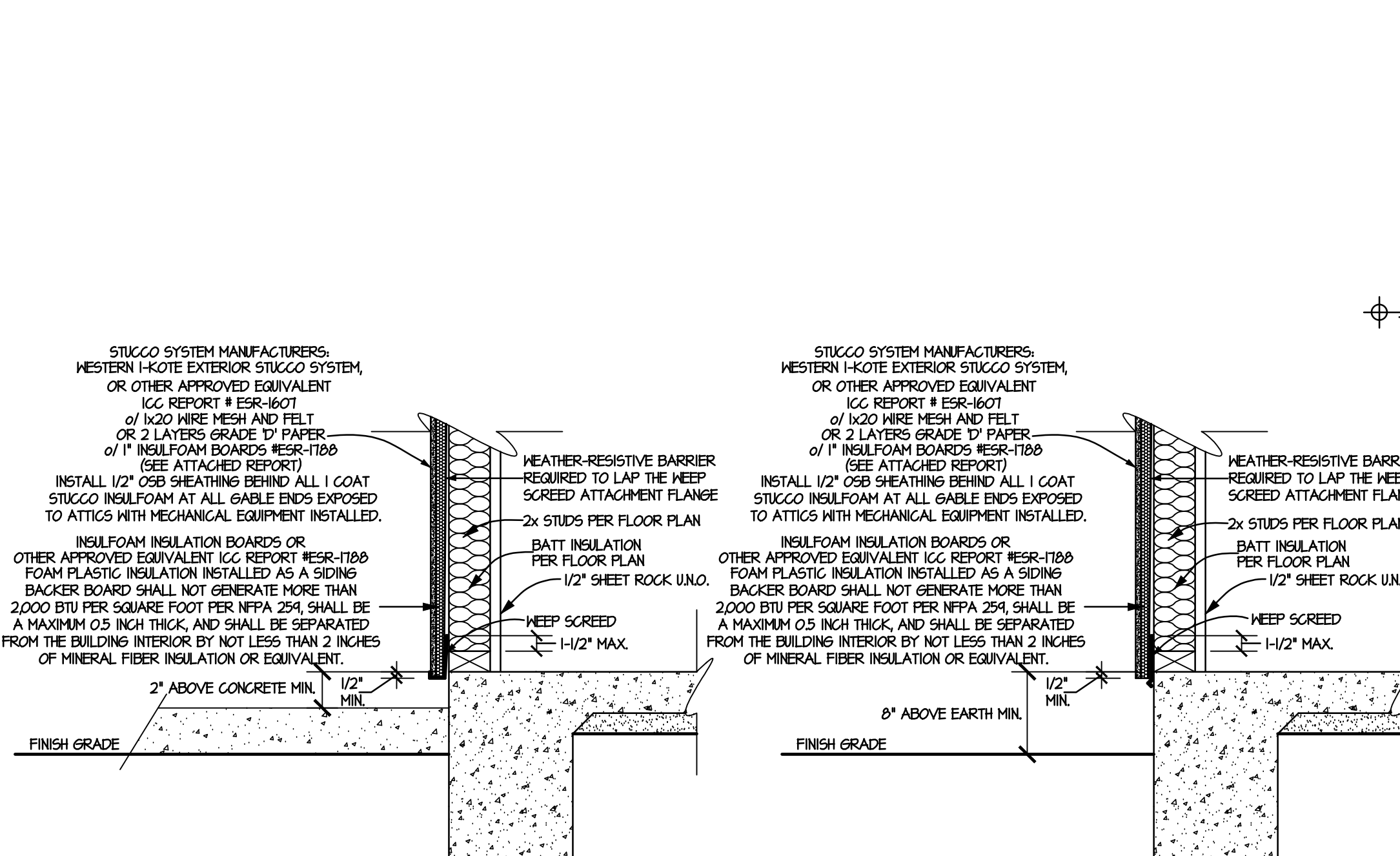
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"



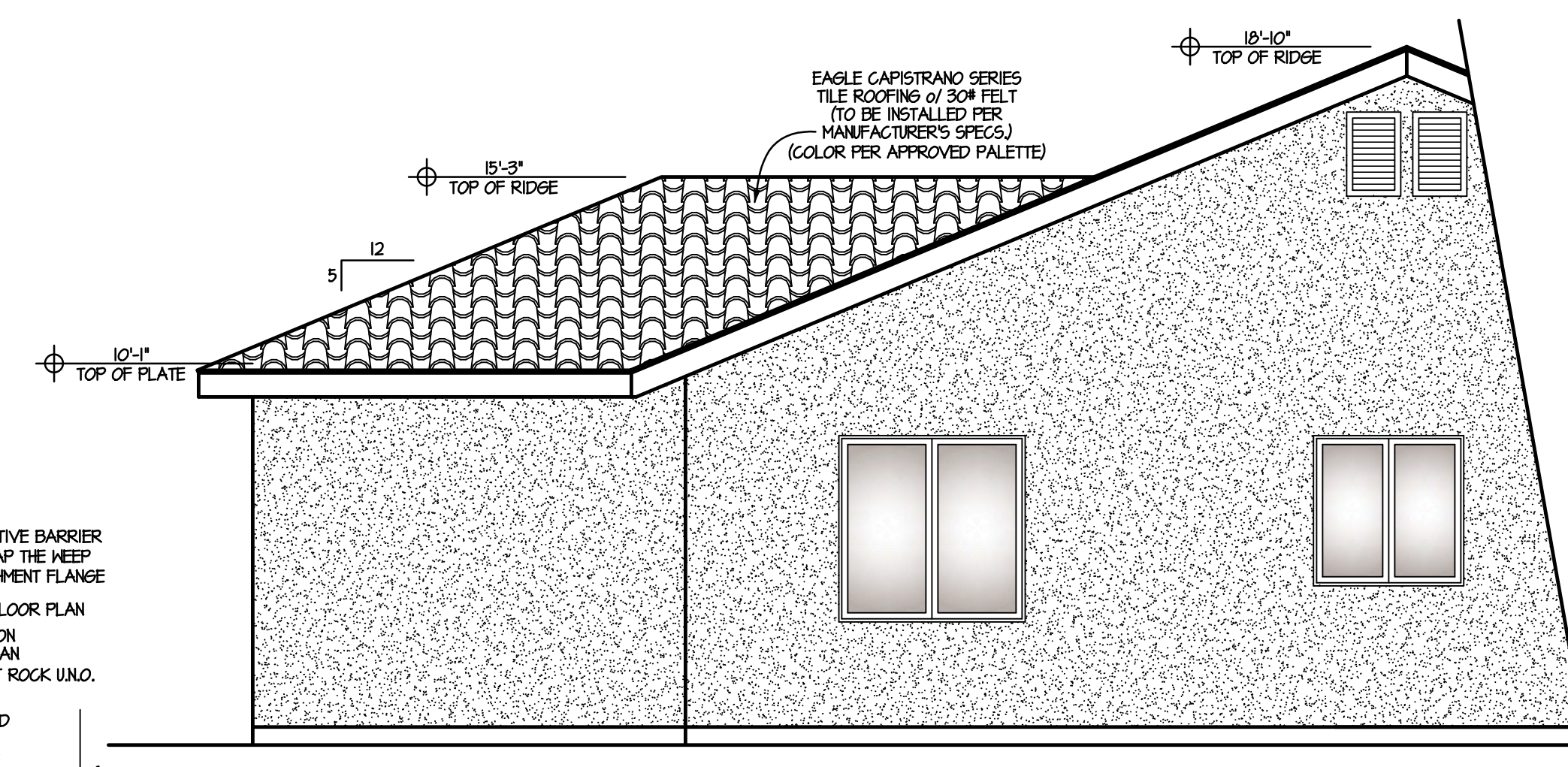
RIGHT SIDE ELEVATION 'A'

SCALE: 1/4" = 1'-0"



Weep Scream Detail 'A'

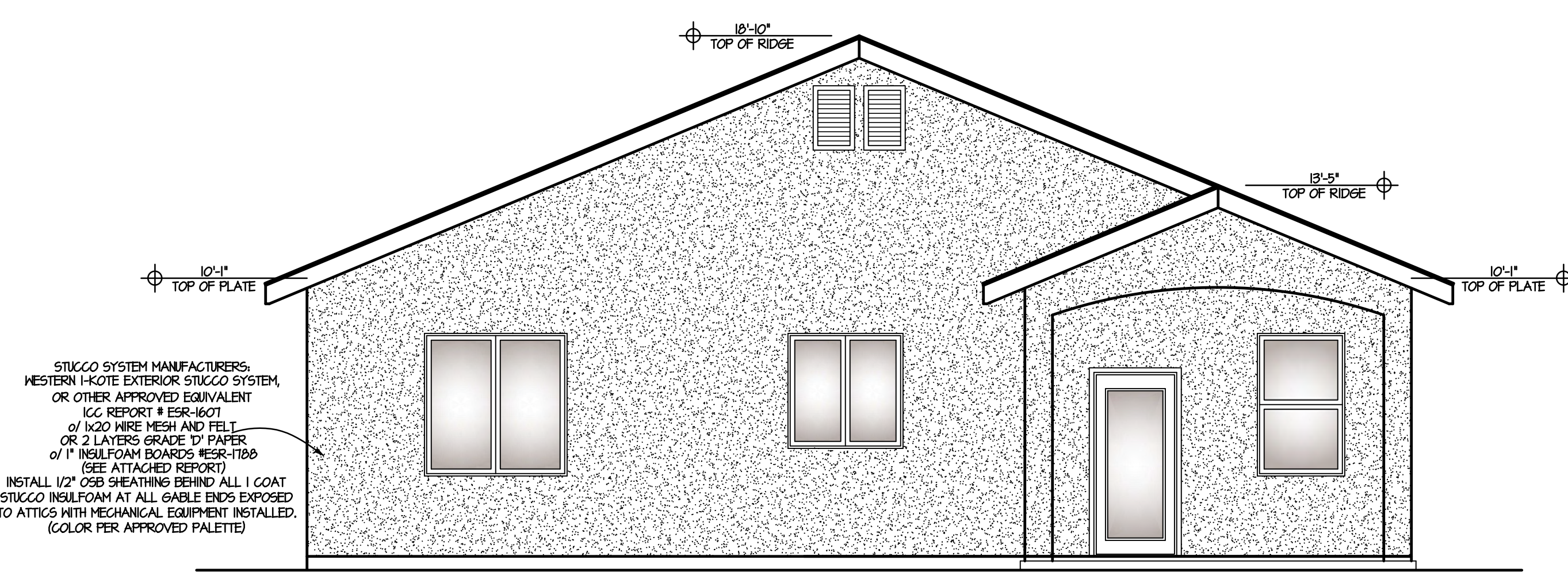
Weep Scream Detail 'B'



REAR ELEVATION

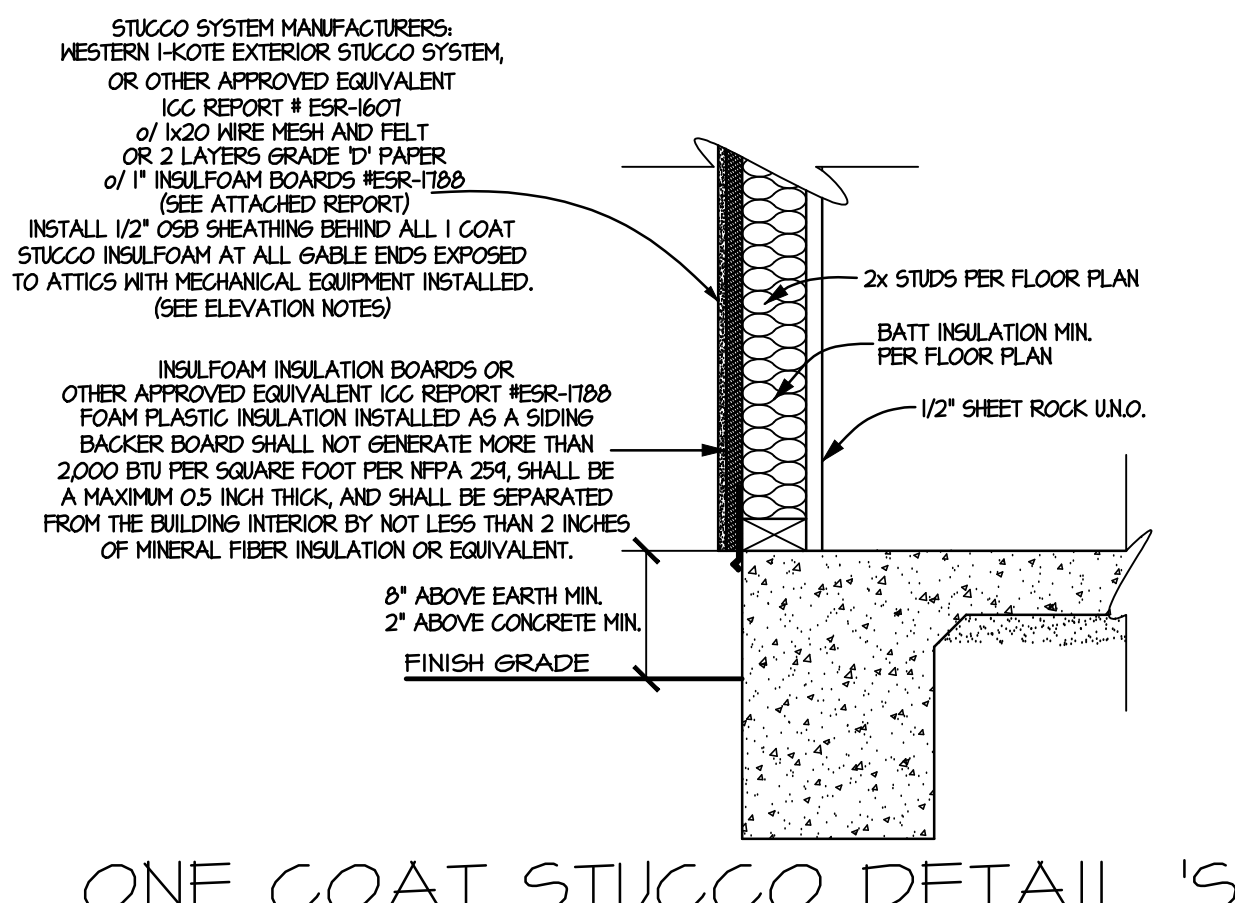
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"

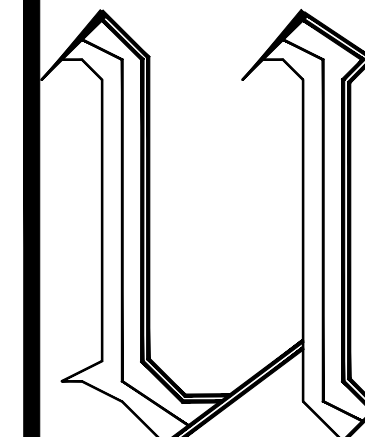


REAR ELEVATION

SCALE: 1/4" = 1'-0"



ONE COAT STUCCO DETAIL 'S'



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*Shreywood*

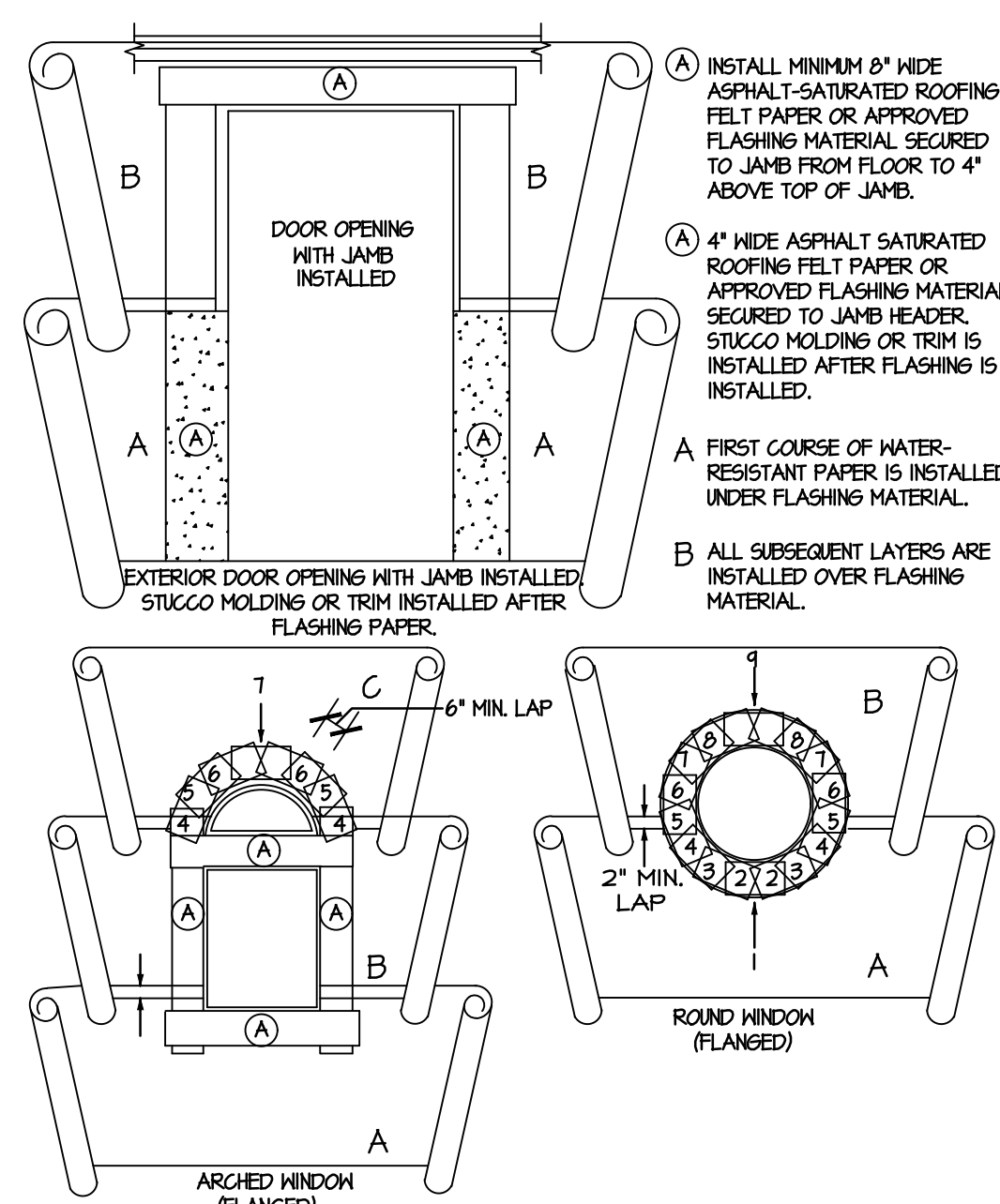
OWNER / BUILDER:  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
Phone: (559) 275-5200  
Email: jcrowncrownliving.com

DATE  
11/11/2021  
SCALE  
1/4" = 1'-0"  
JOB NO.  
1616 PLAN MADERA  
SHEET

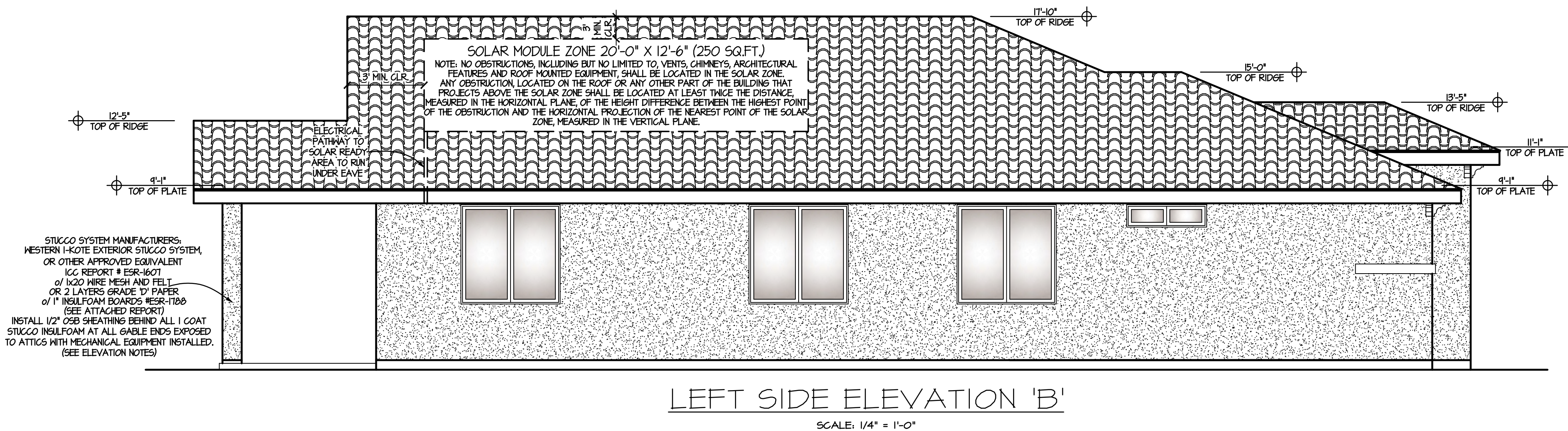
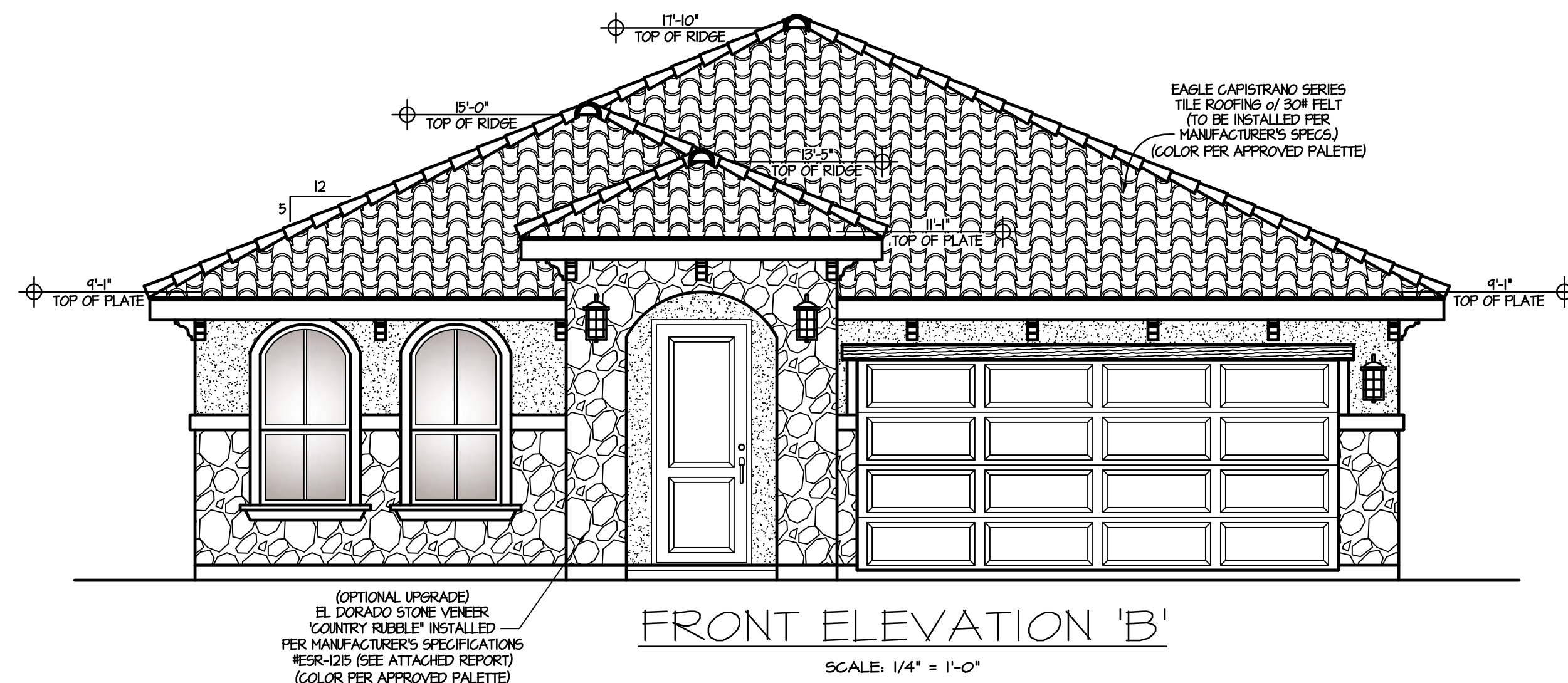
**B2**

The Abbey 1616 Plan Exterior Elevations 'A' w/ Opt. 10ft Plate

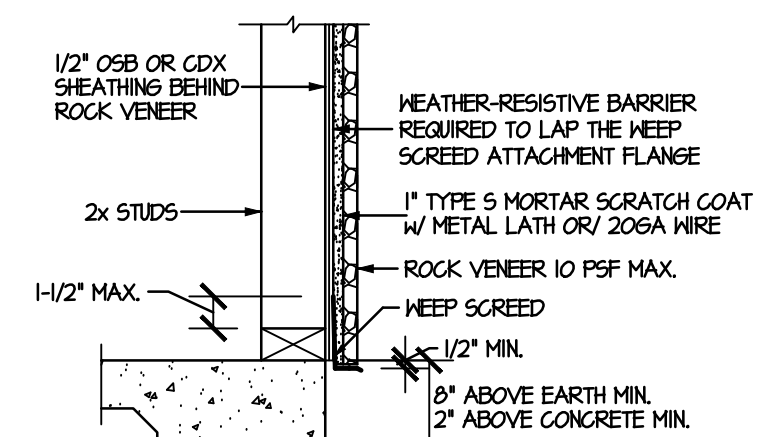
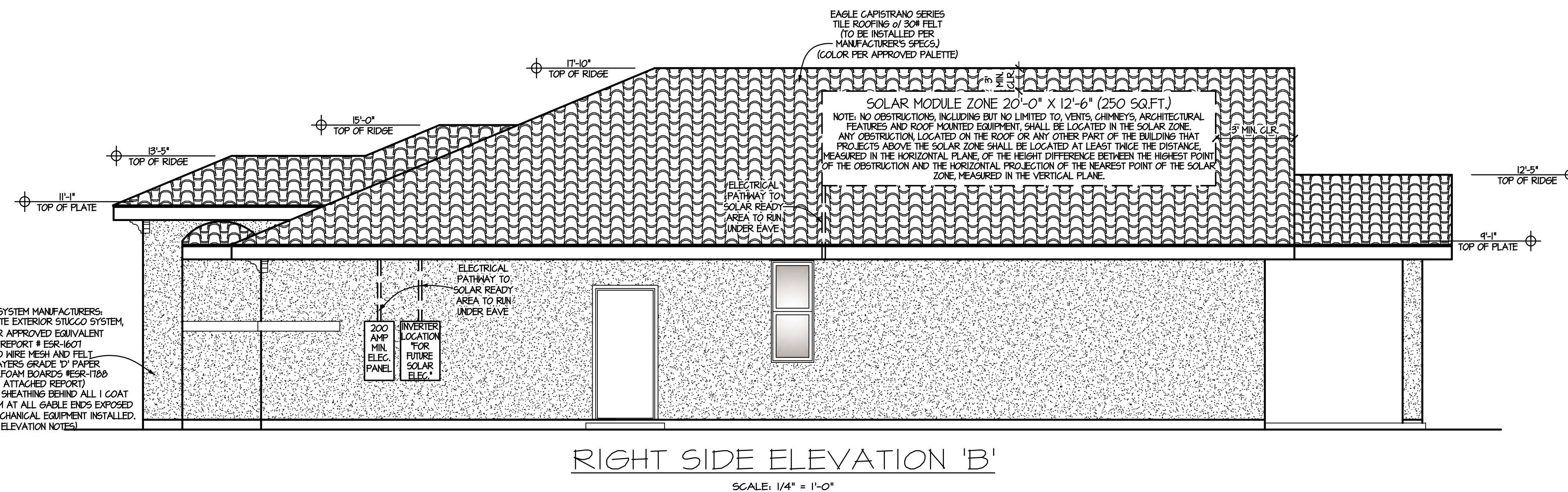
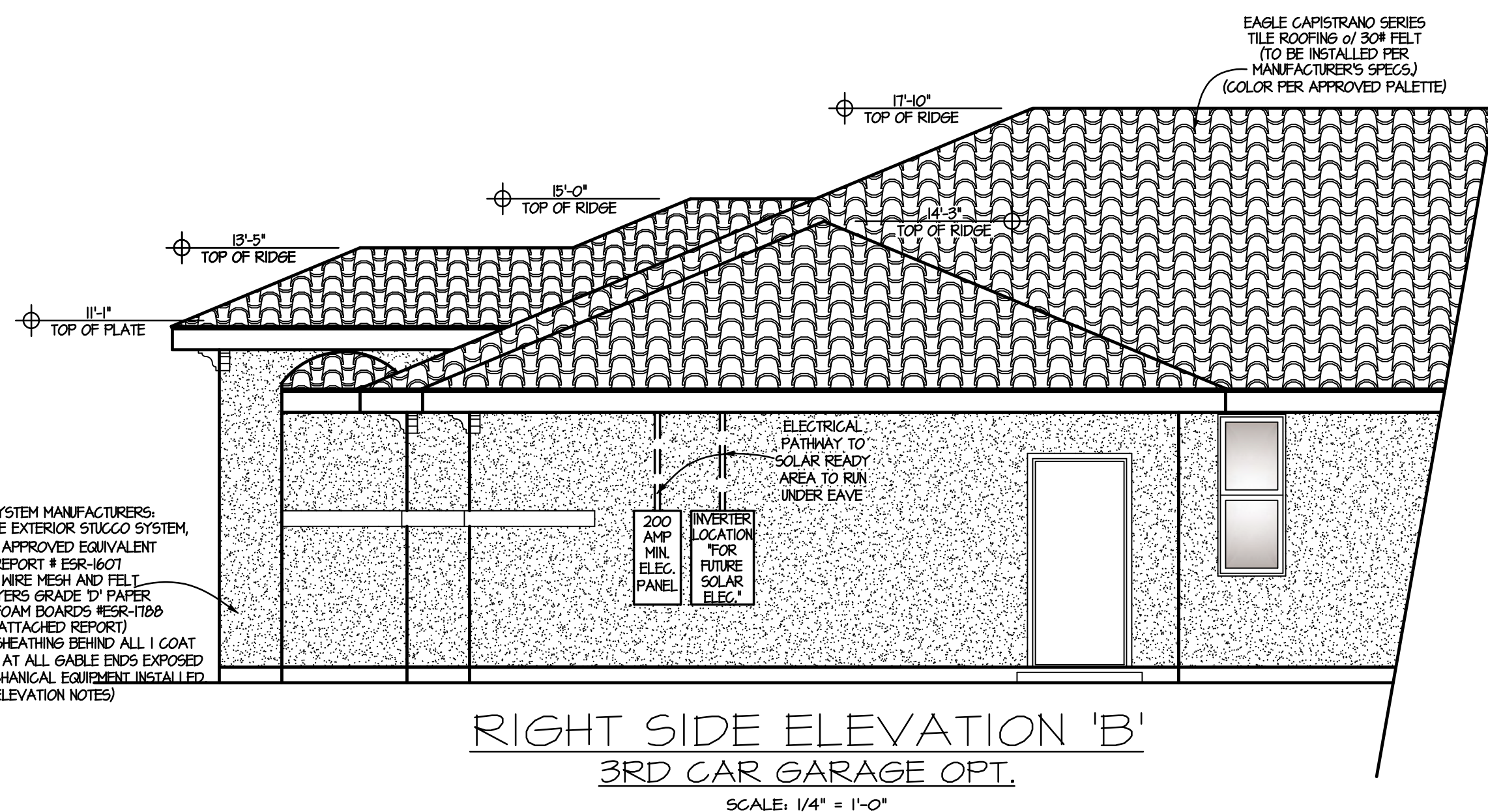




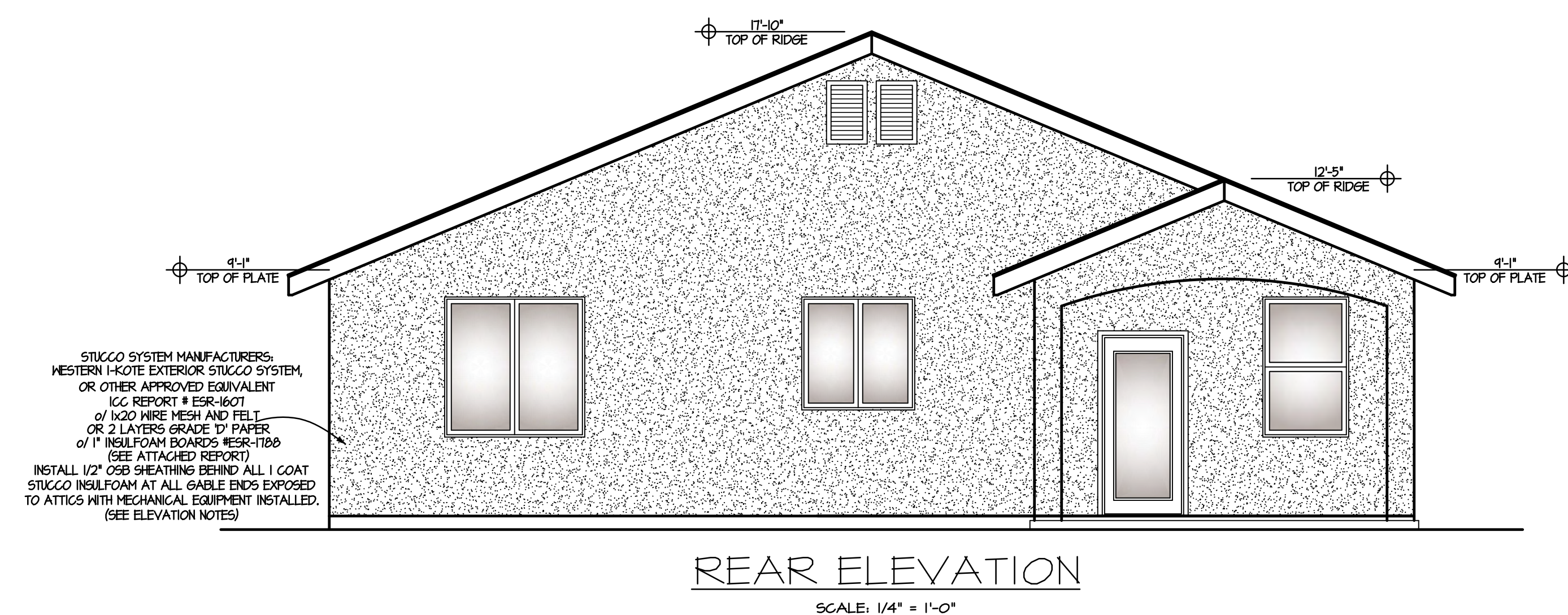
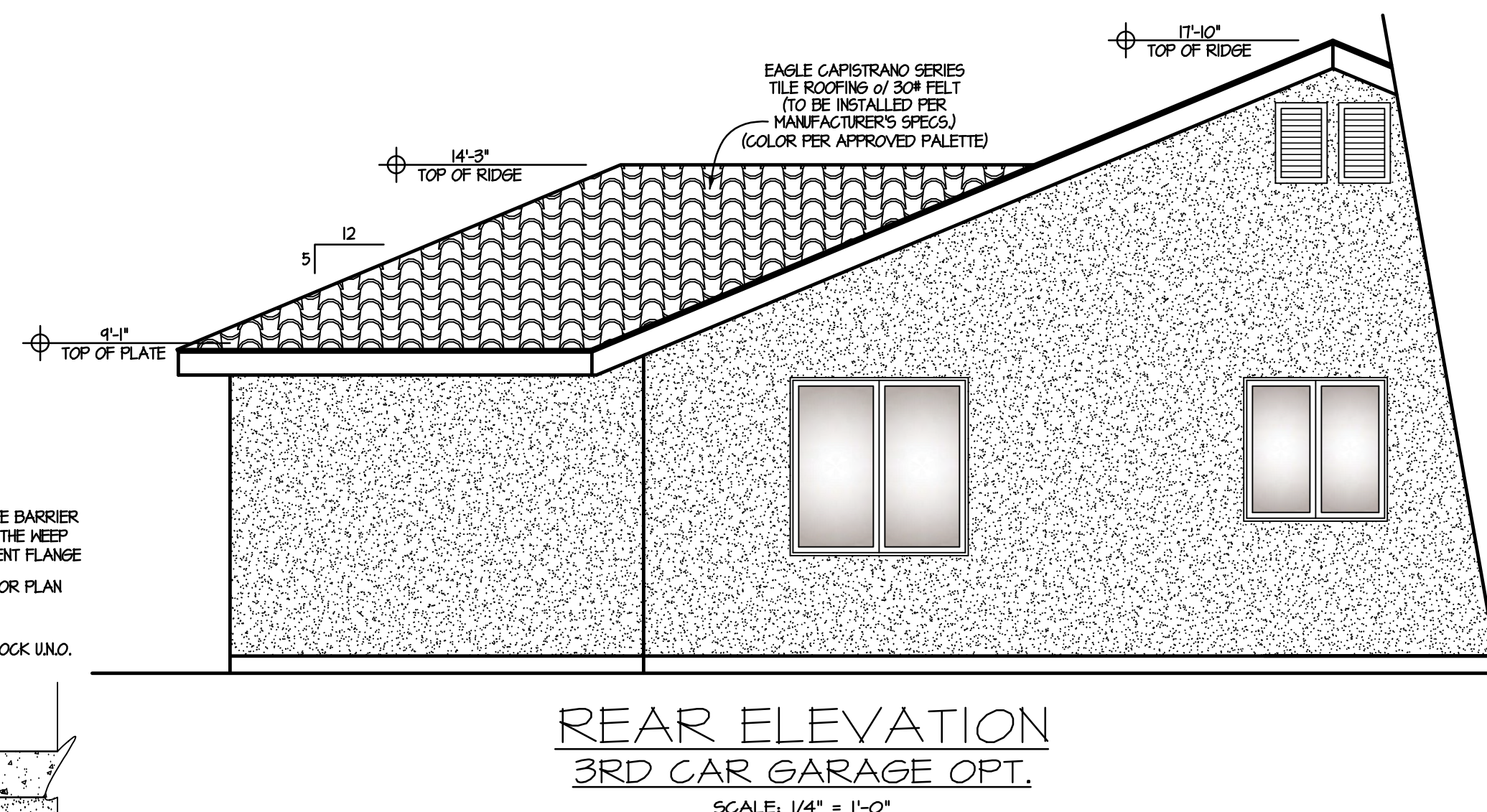
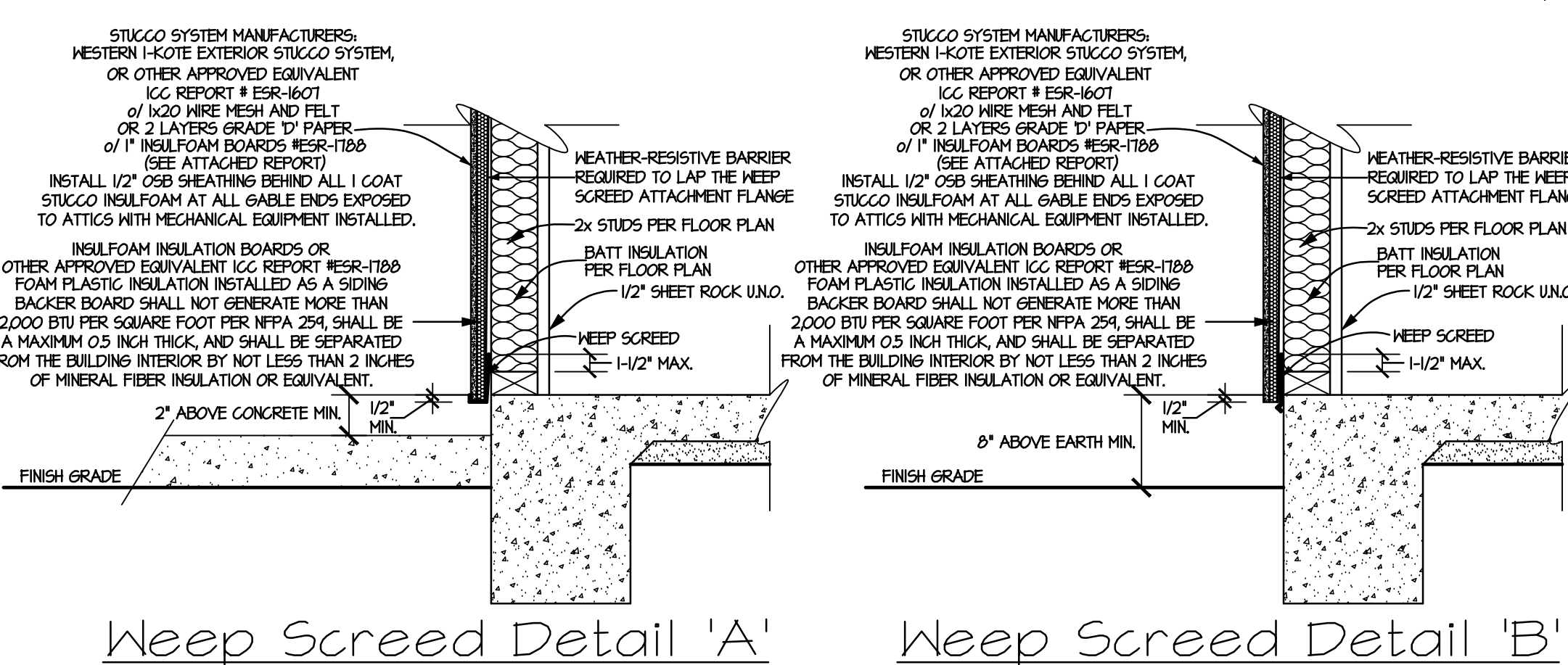
Door & Window Flashing Detail



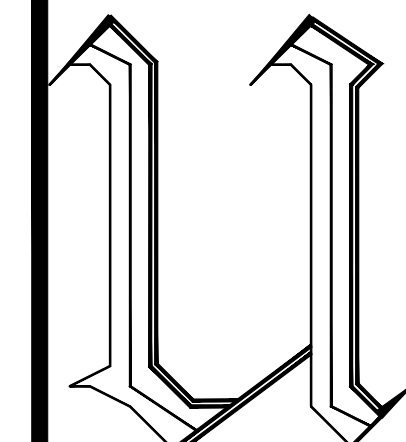
ONE COAT STUCCO DETAIL 'S'



ROCK VENEER DETAIL 'V'



# The Abbey 1616 Plan Exterior Elevations 'B' w/ 9ft Plate



**Villa Di Ubaldo**  
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Email: villadiubaldo@hotmail.com



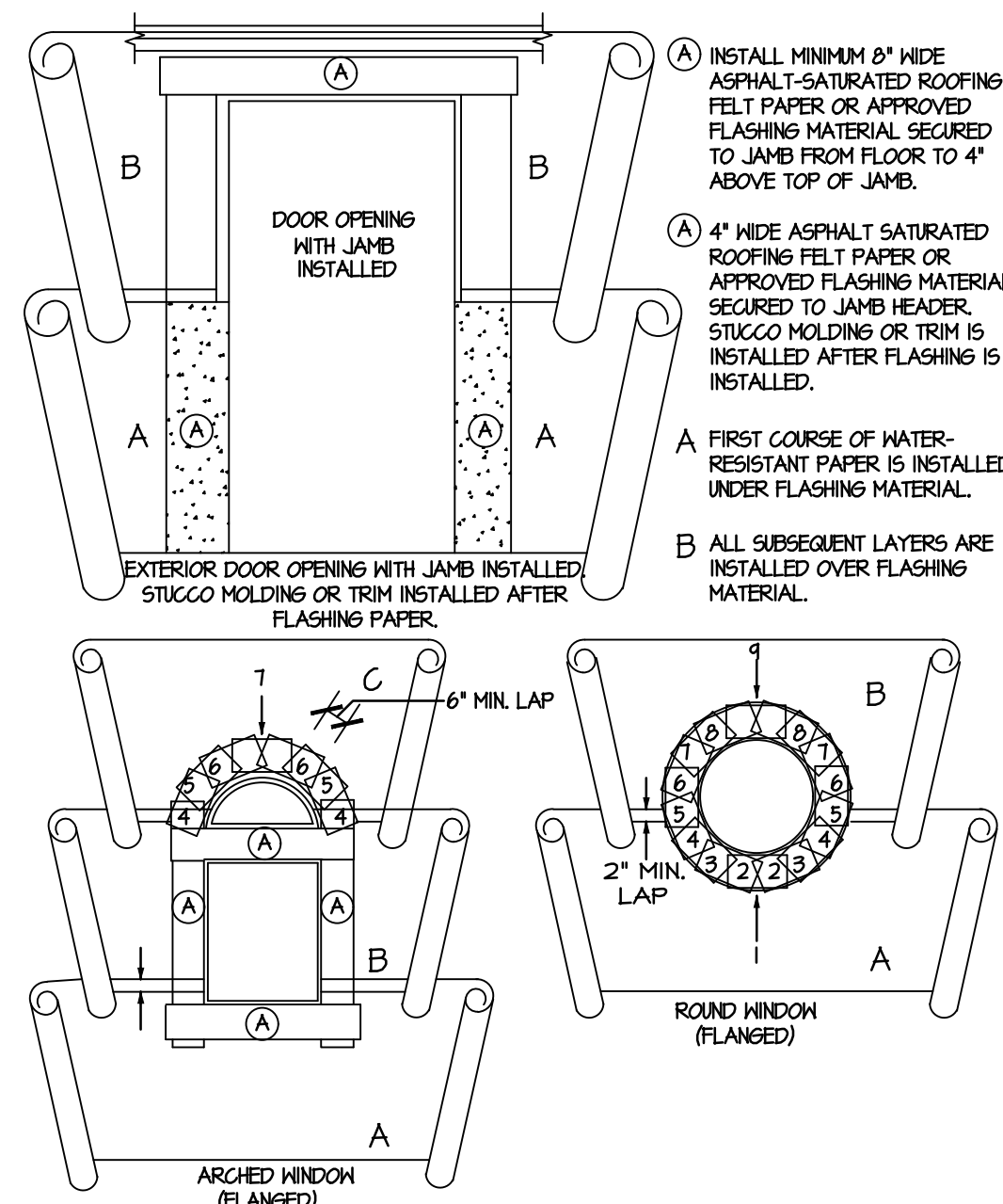
**Shenwood**

OWNER / BUILDER:  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
FRESNO, CA 93727  
Phone: (559) 275-5200  
Email: jcrowncrownliving.com

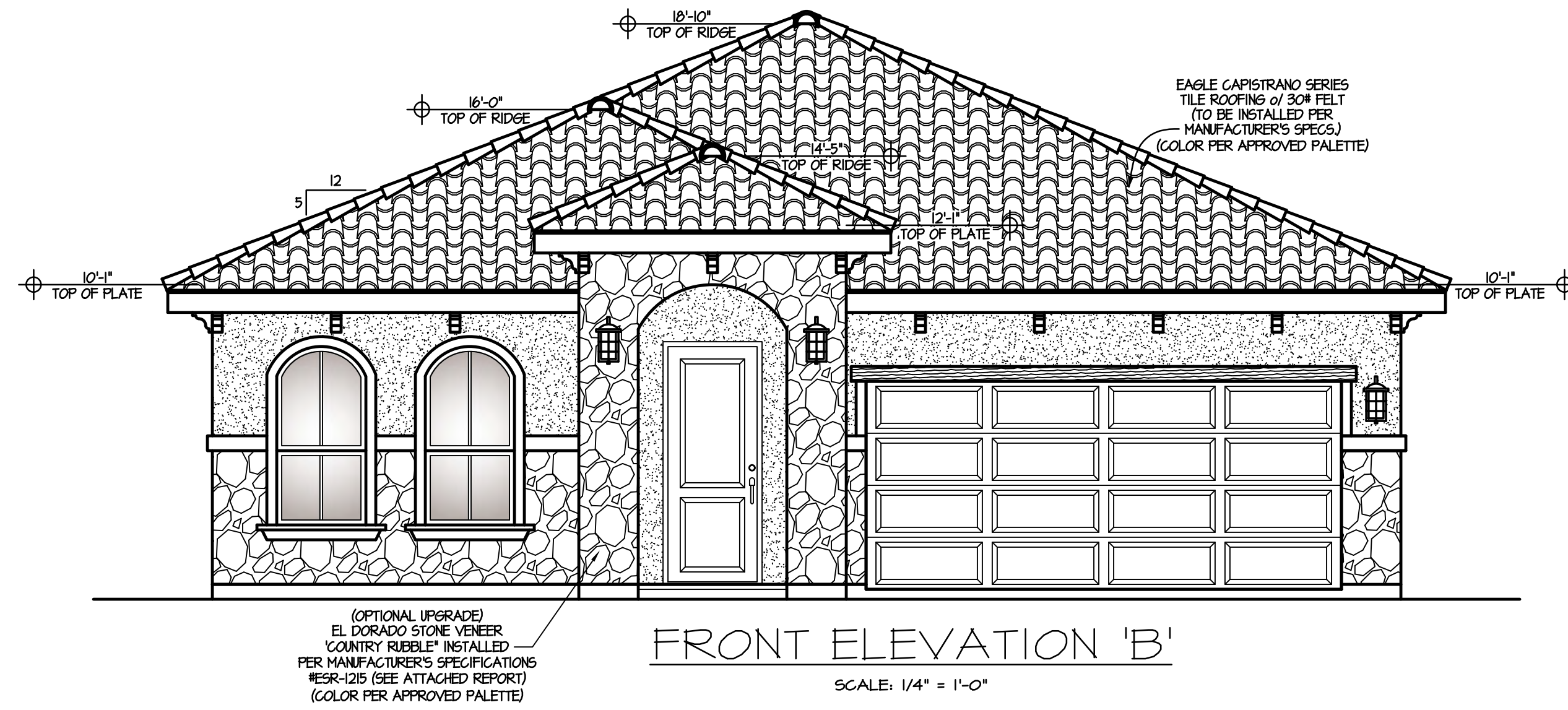
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JOB NO.  
1616 PLAN MADERA  
SHEET

**A3**



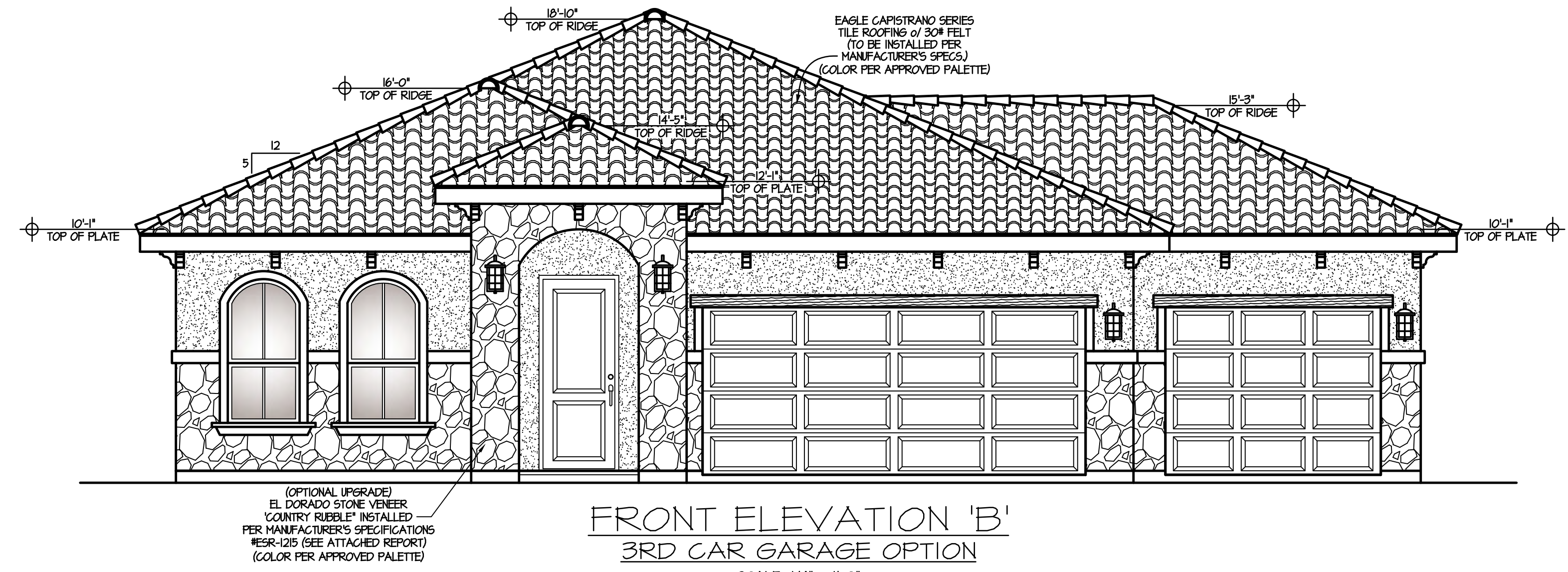


Door & Window Flashing Detail



FRONT ELEVATION 'B'

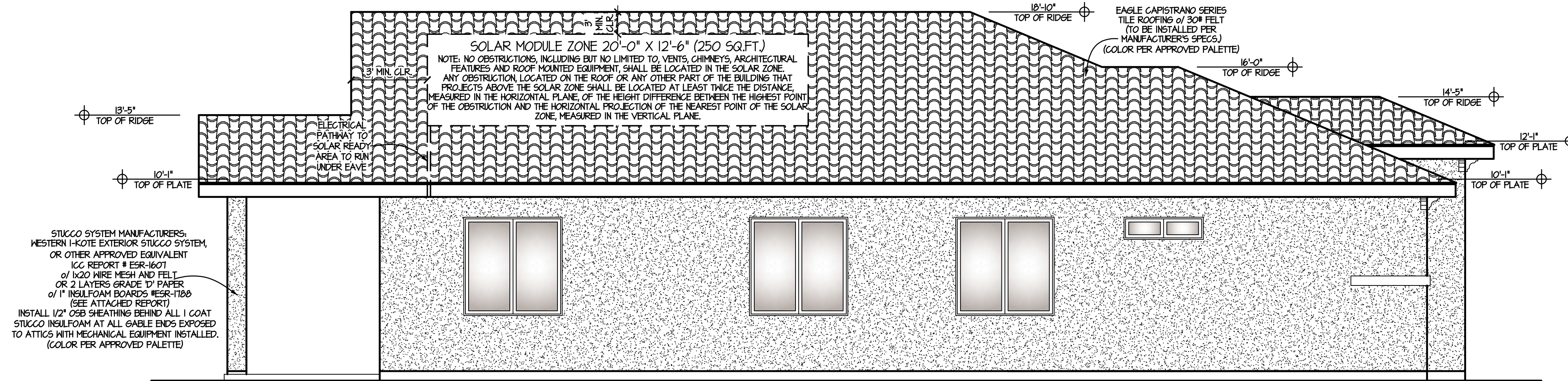
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FRONT ELEVATION 'B'

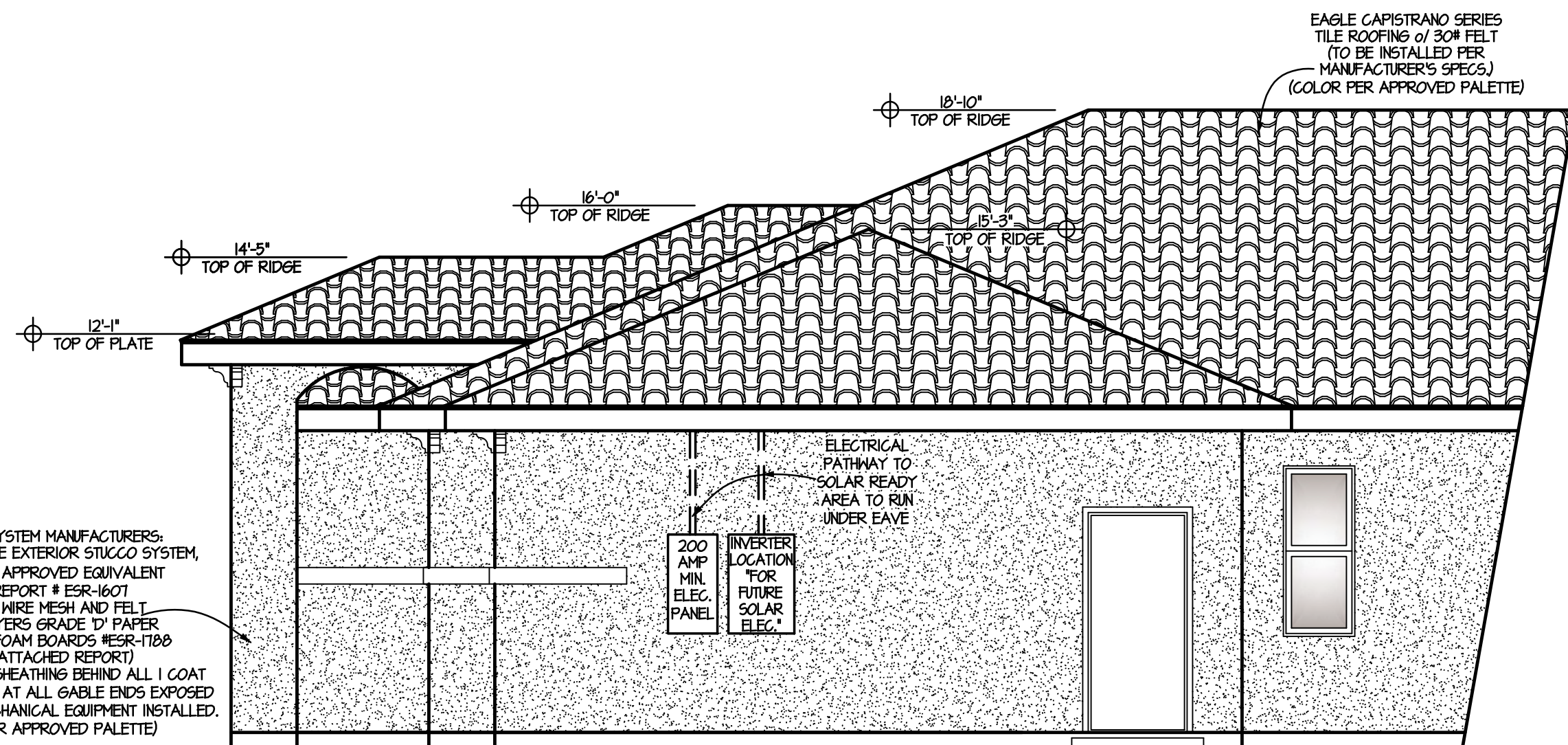
3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION 'B'

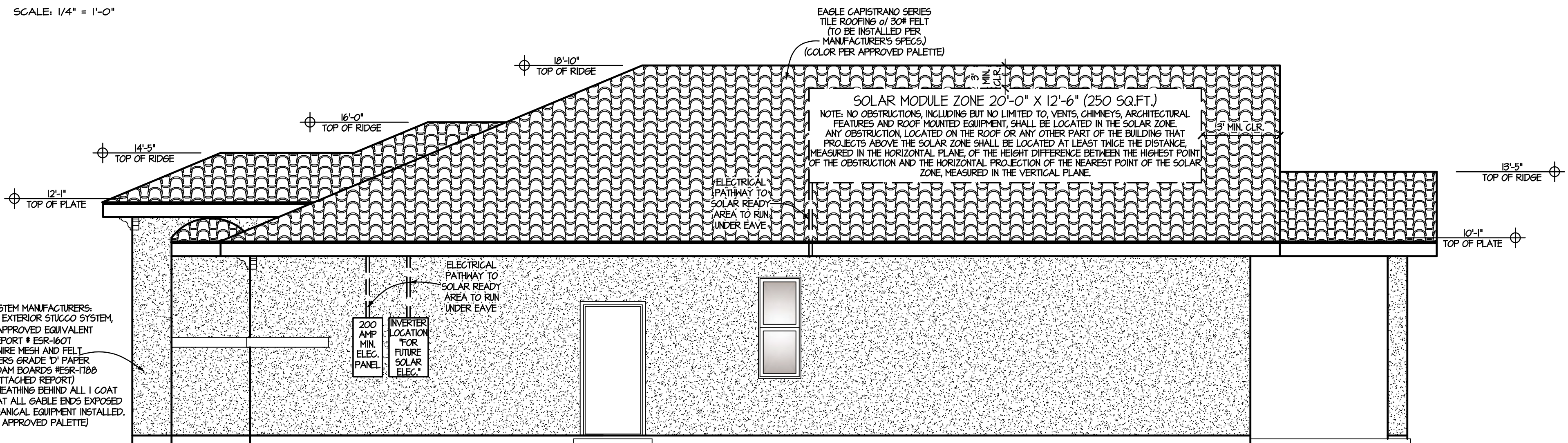
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RIGHT SIDE ELEVATION 'B'

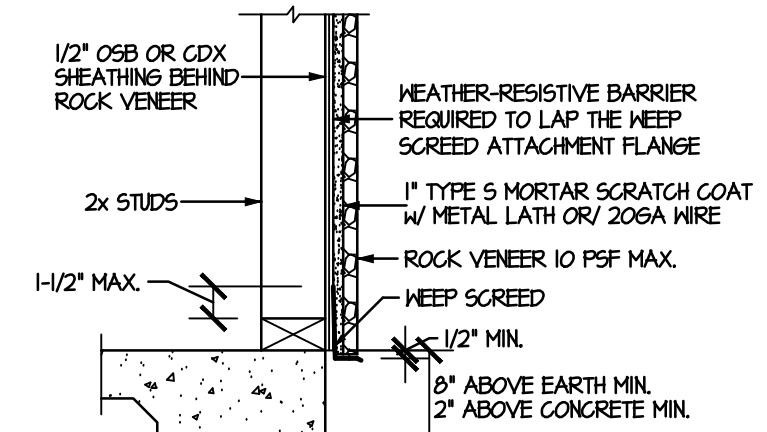
3RD CAR GARAGE OPT.

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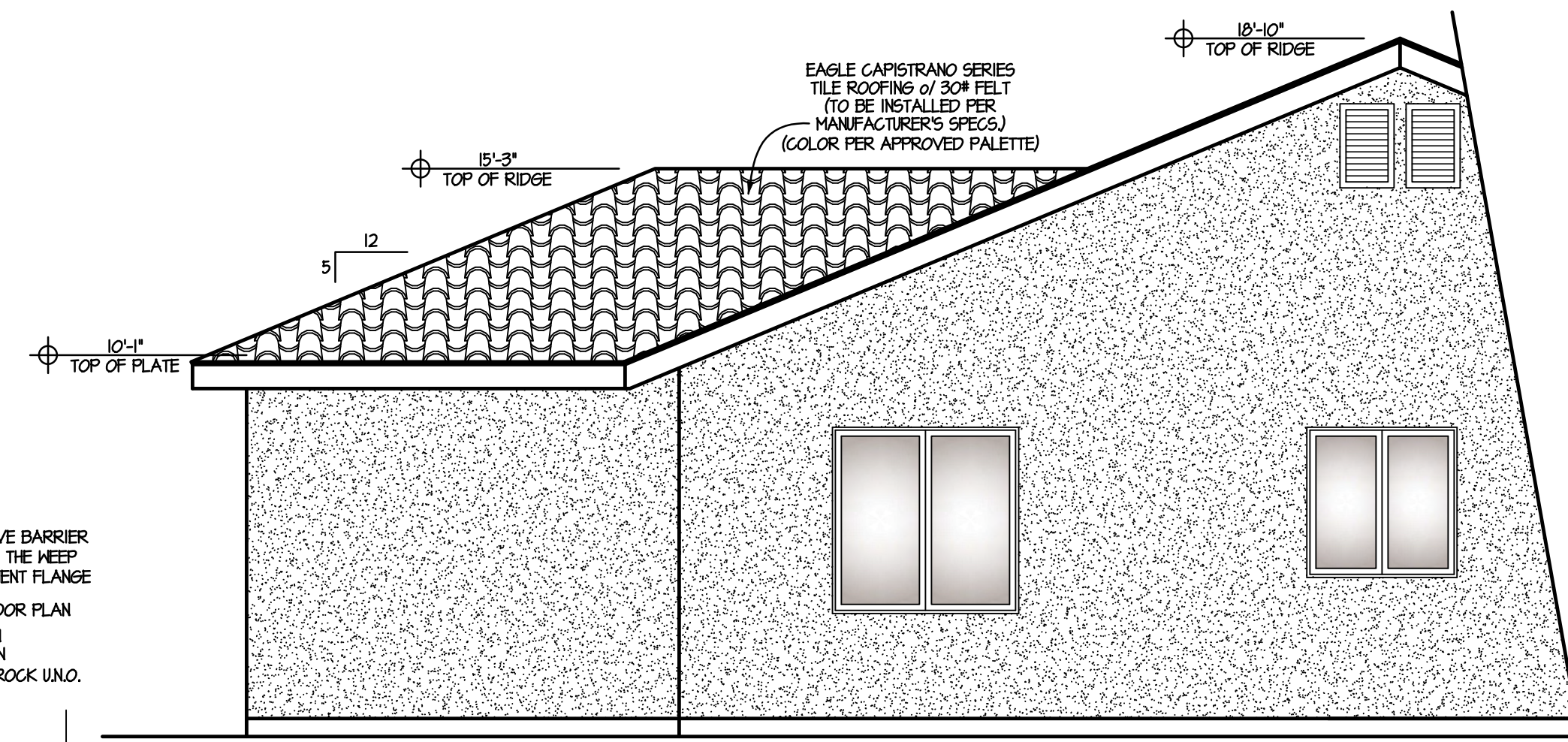


RIGHT SIDE ELEVATION 'B'

SCALE: 1/4" = 1'-0"



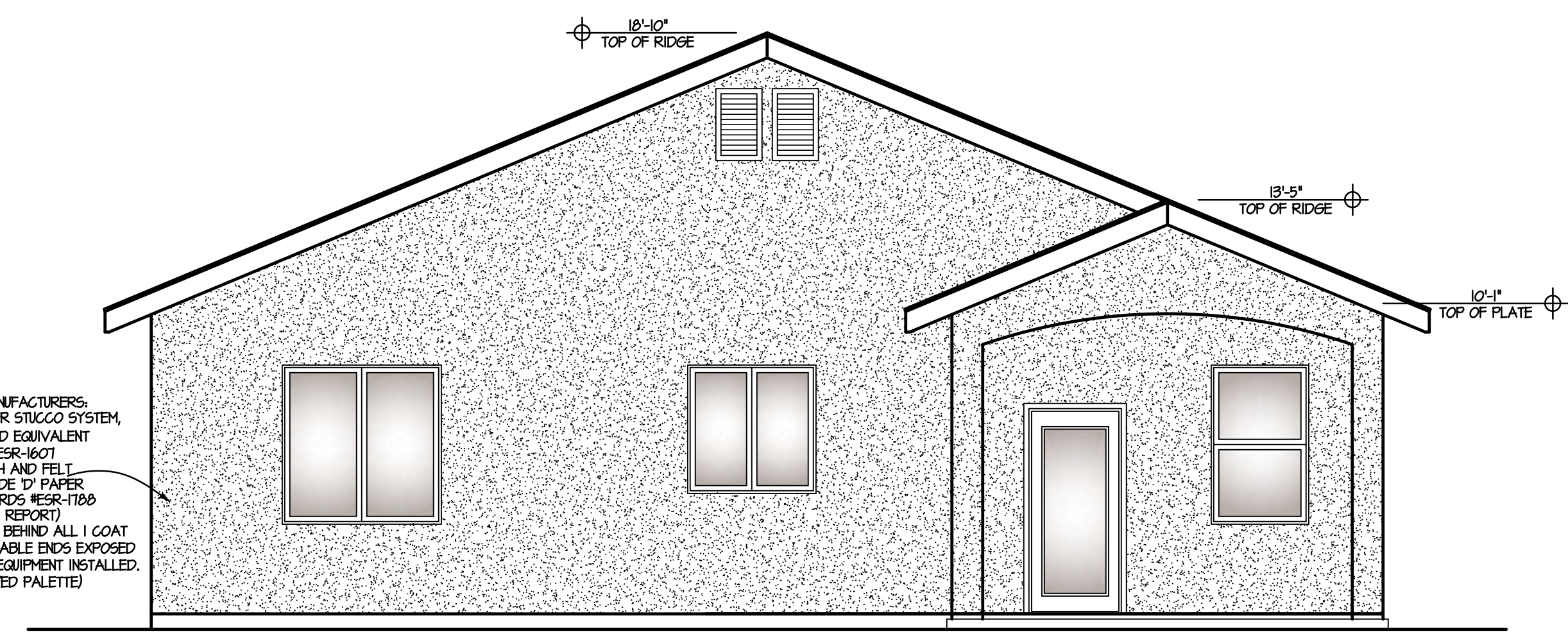
ROCK VENEER DETAIL 'V'



REAR ELEVATION

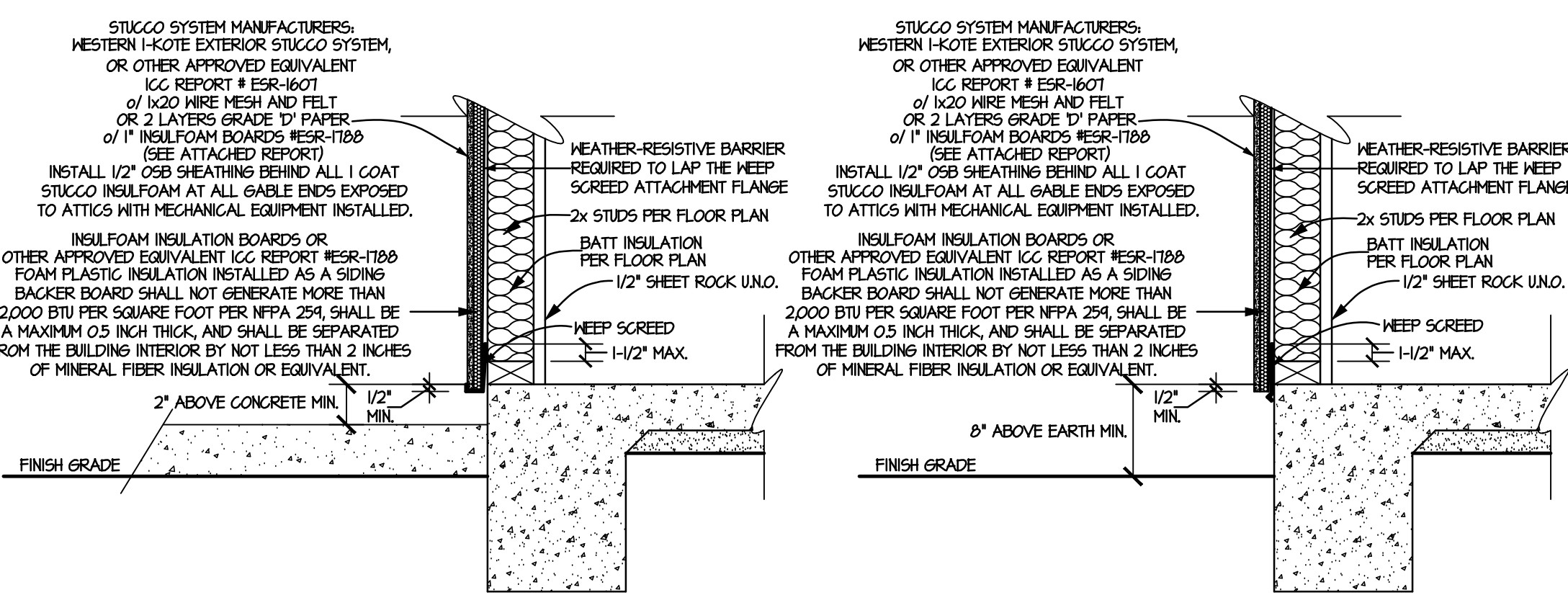
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"



REAR ELEVATION

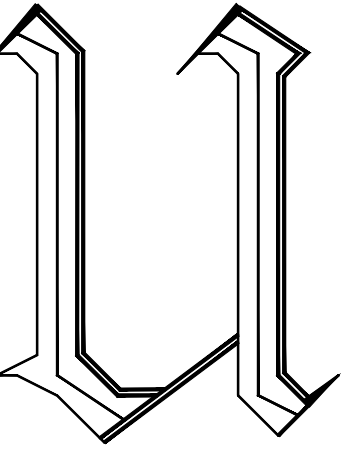
SCALE: 1/4" = 1'-0"



Weep Screenshot Detail 'A'

Weep Screenshot Detail 'B'

# The Abbey 1616 Plan Exterior Elevations 'B' w/ Opt. 10ft Plate



**Villa Di Ubaldo**  
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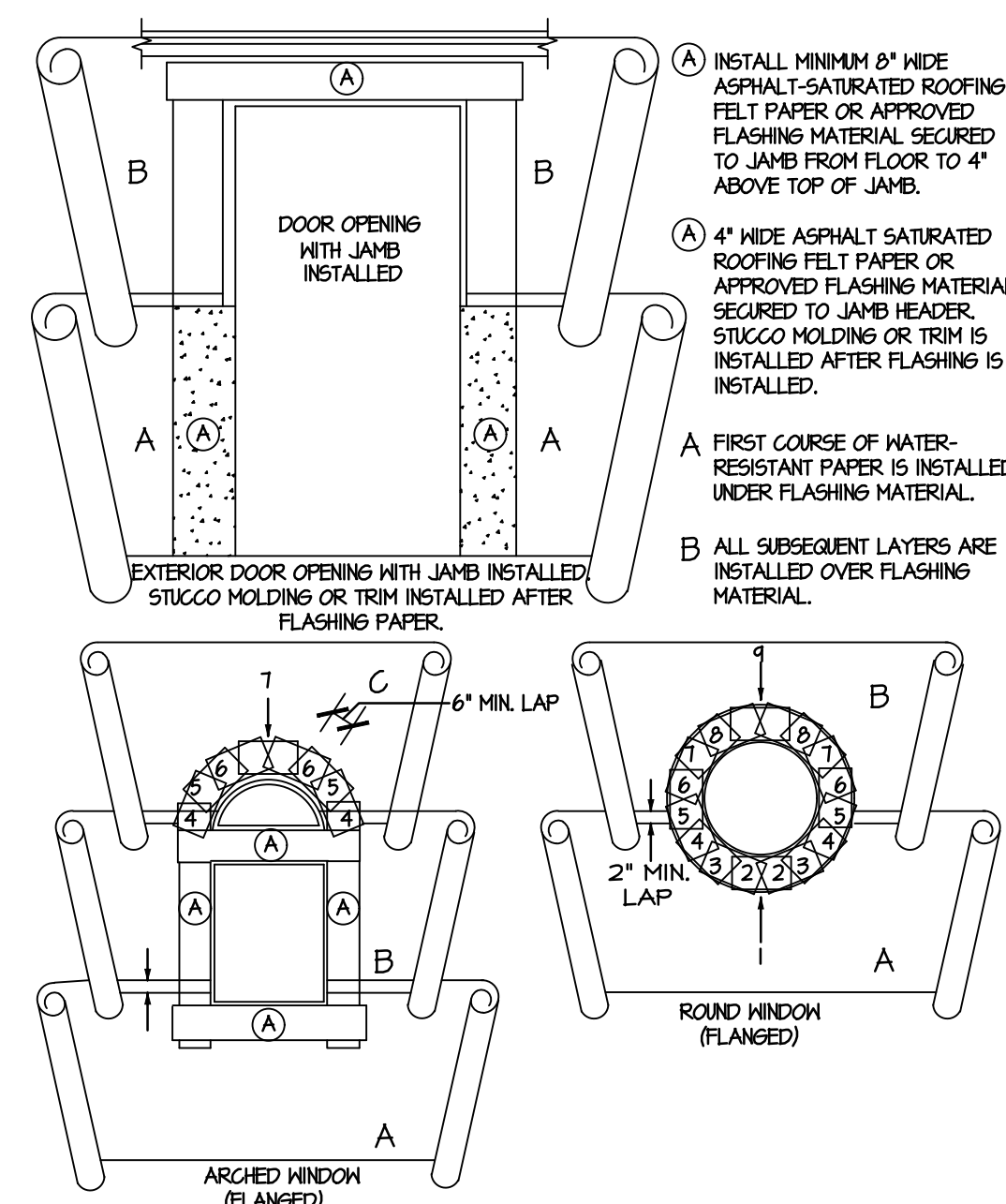
**Dreywood**

**OWNER / BUILDER:**  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
Phone: (559) 275-5200  
Email: jcrowncrownliving.com

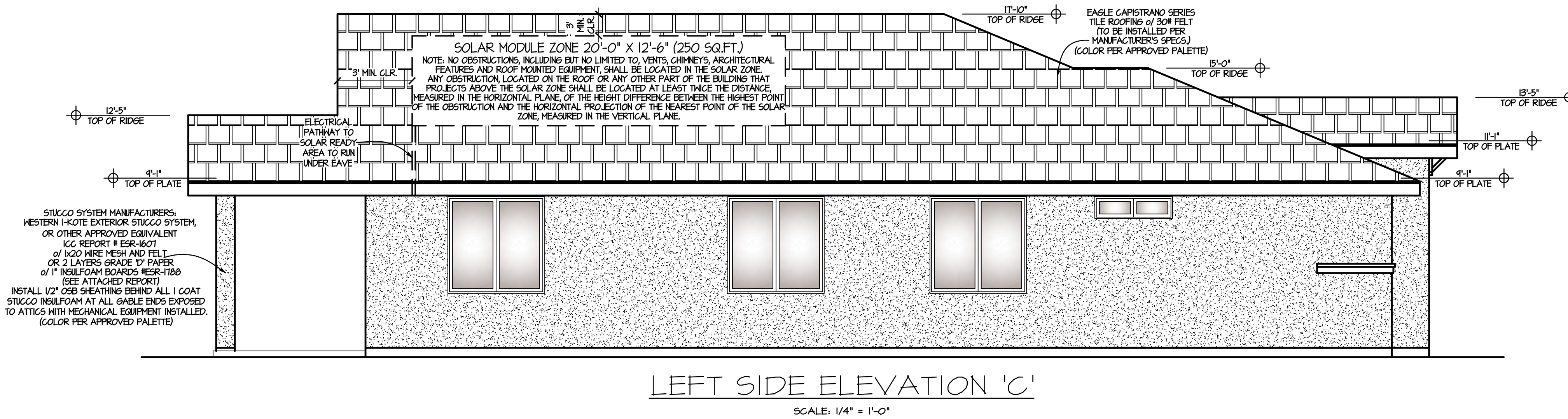
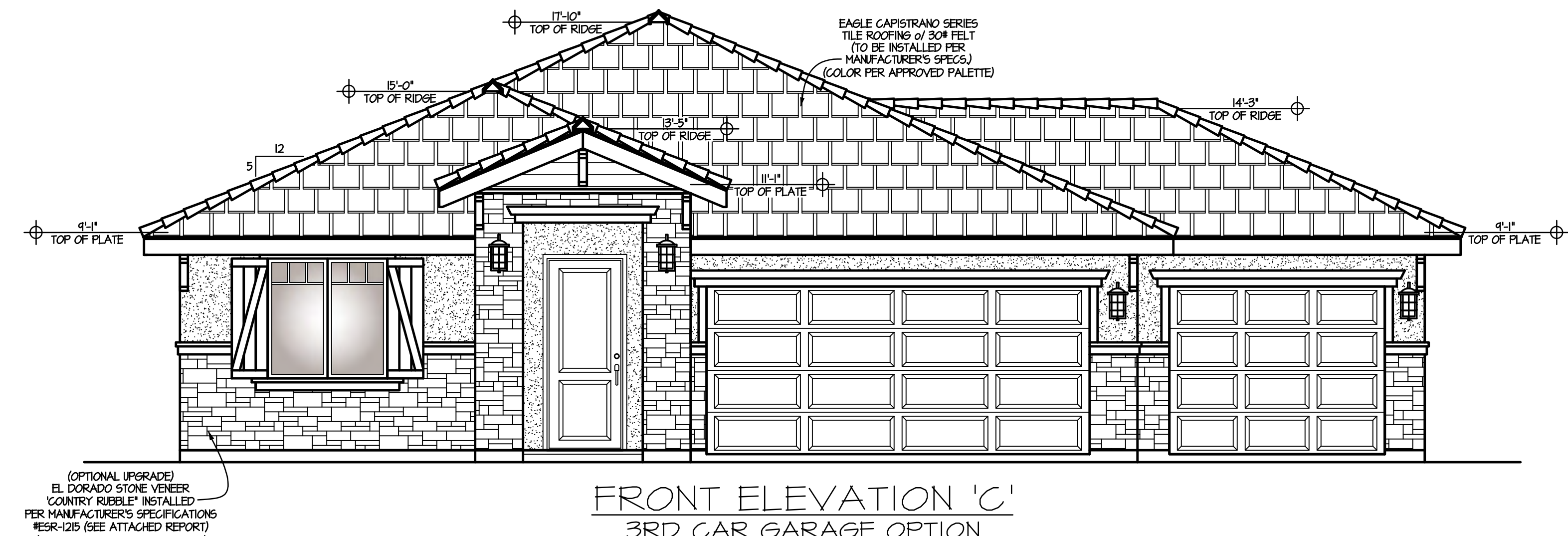
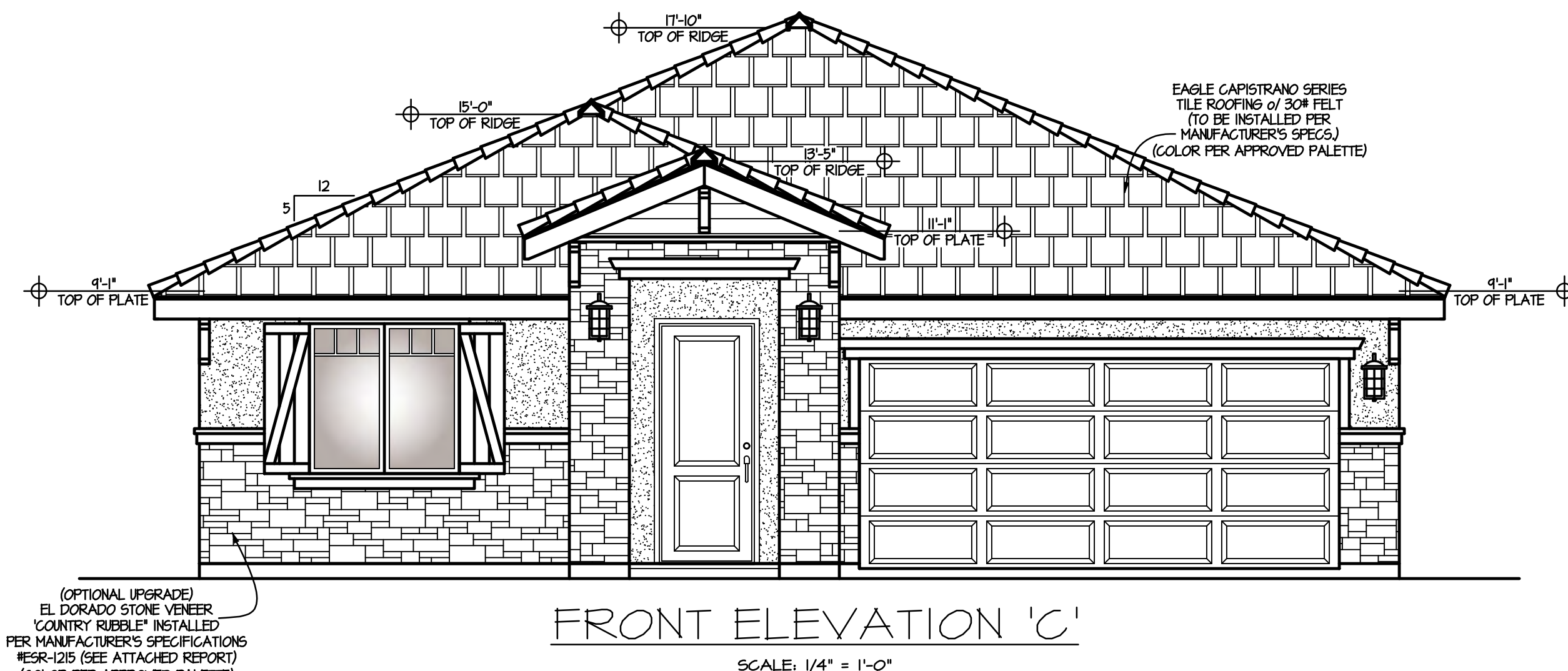
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SCALE: 1/4" = 1'-0"  
JOB NO.: 1616 PLAN MADERA  
SHEET

**B3**

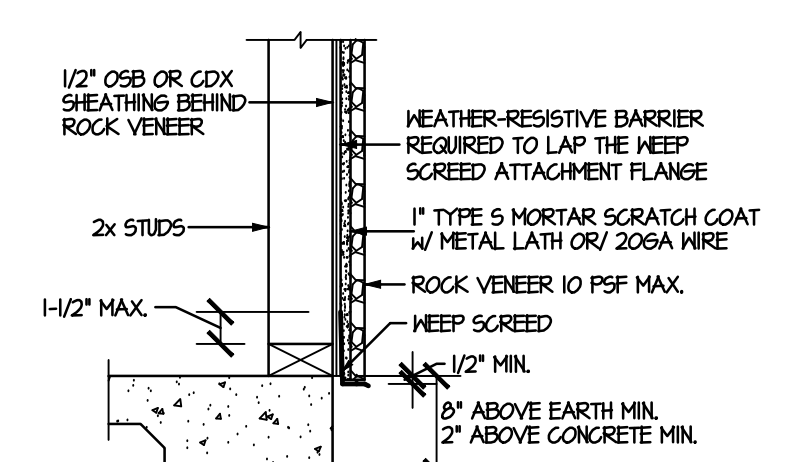
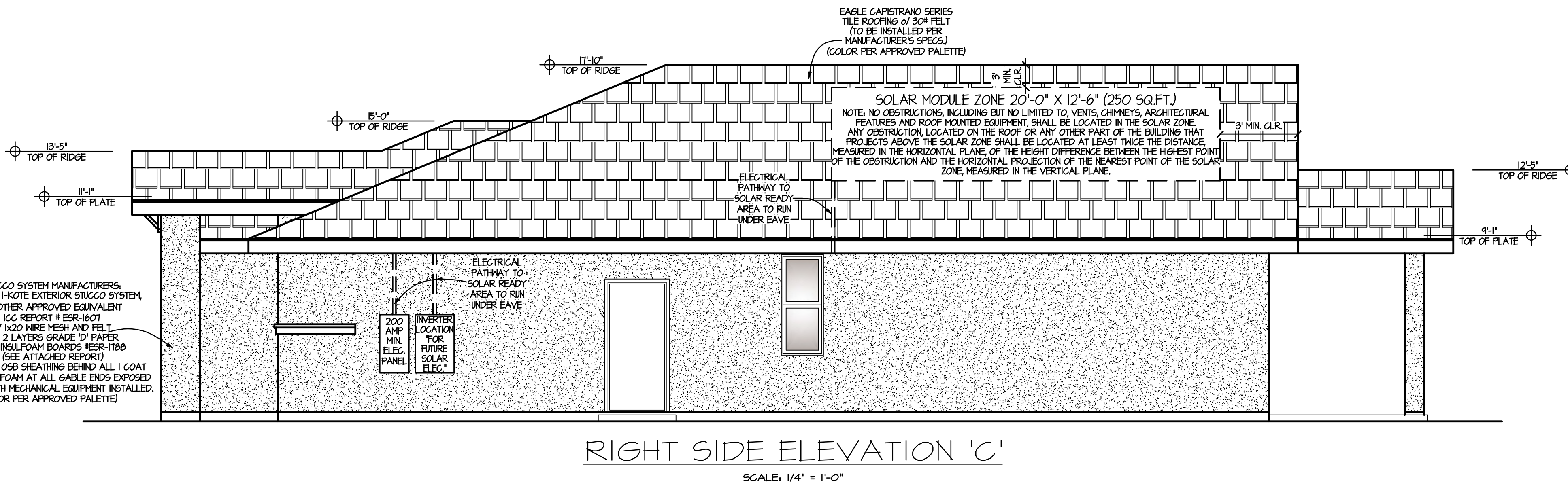
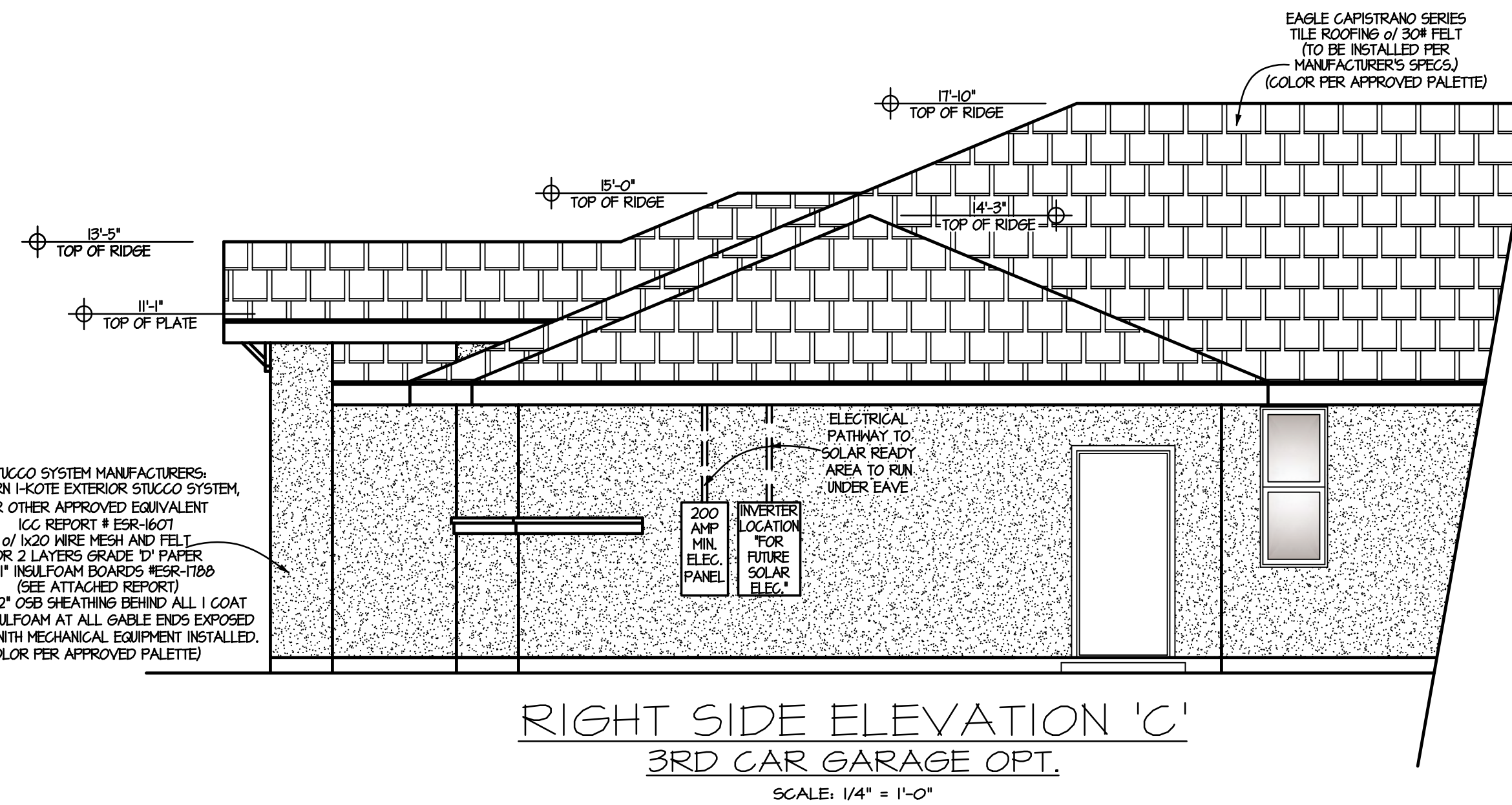




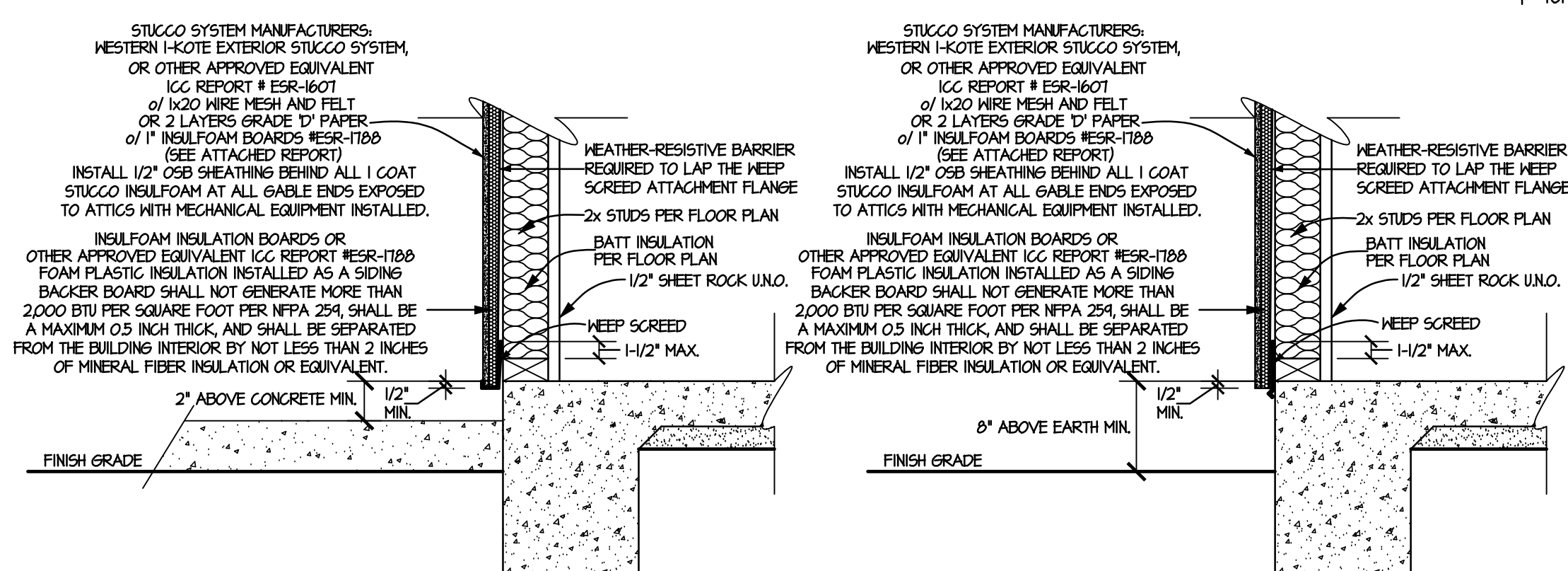
Door & Window Flashing Detail



ONE COAT STUCCO DETAIL 'S'

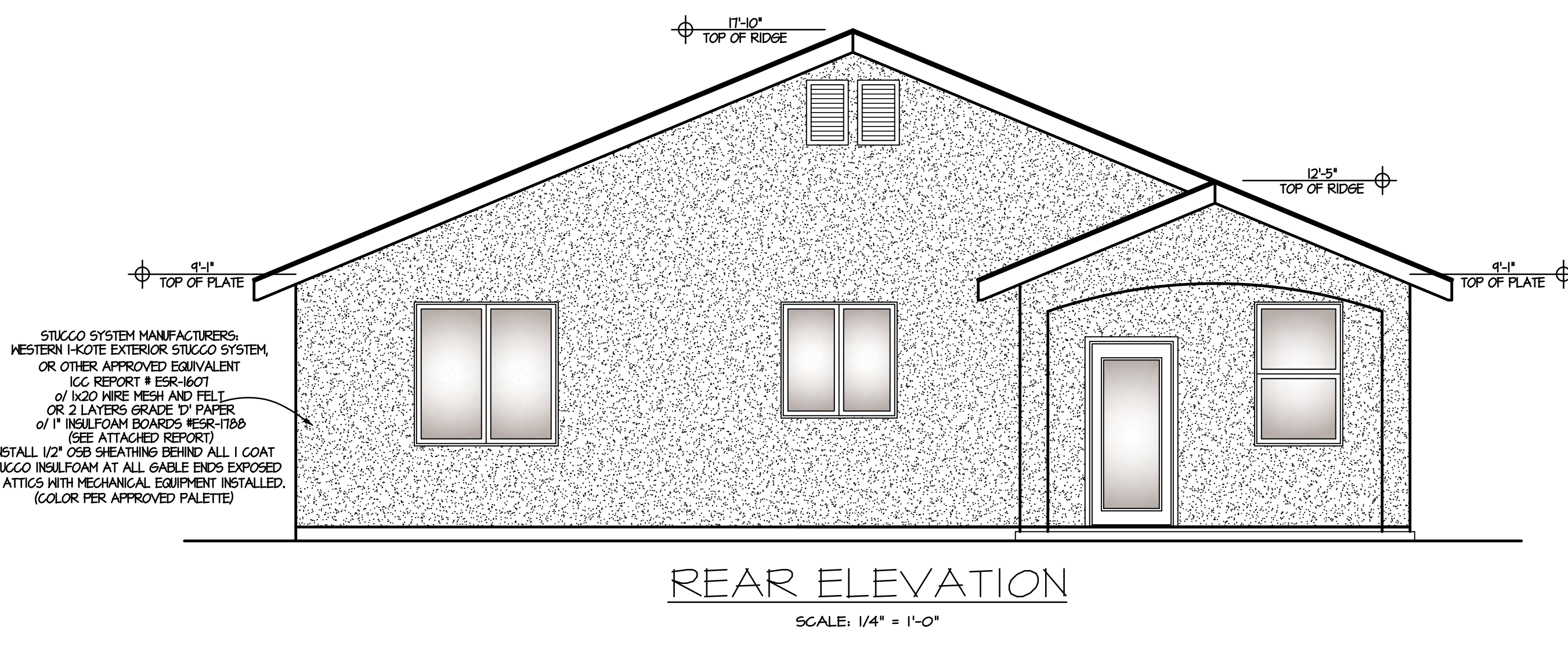
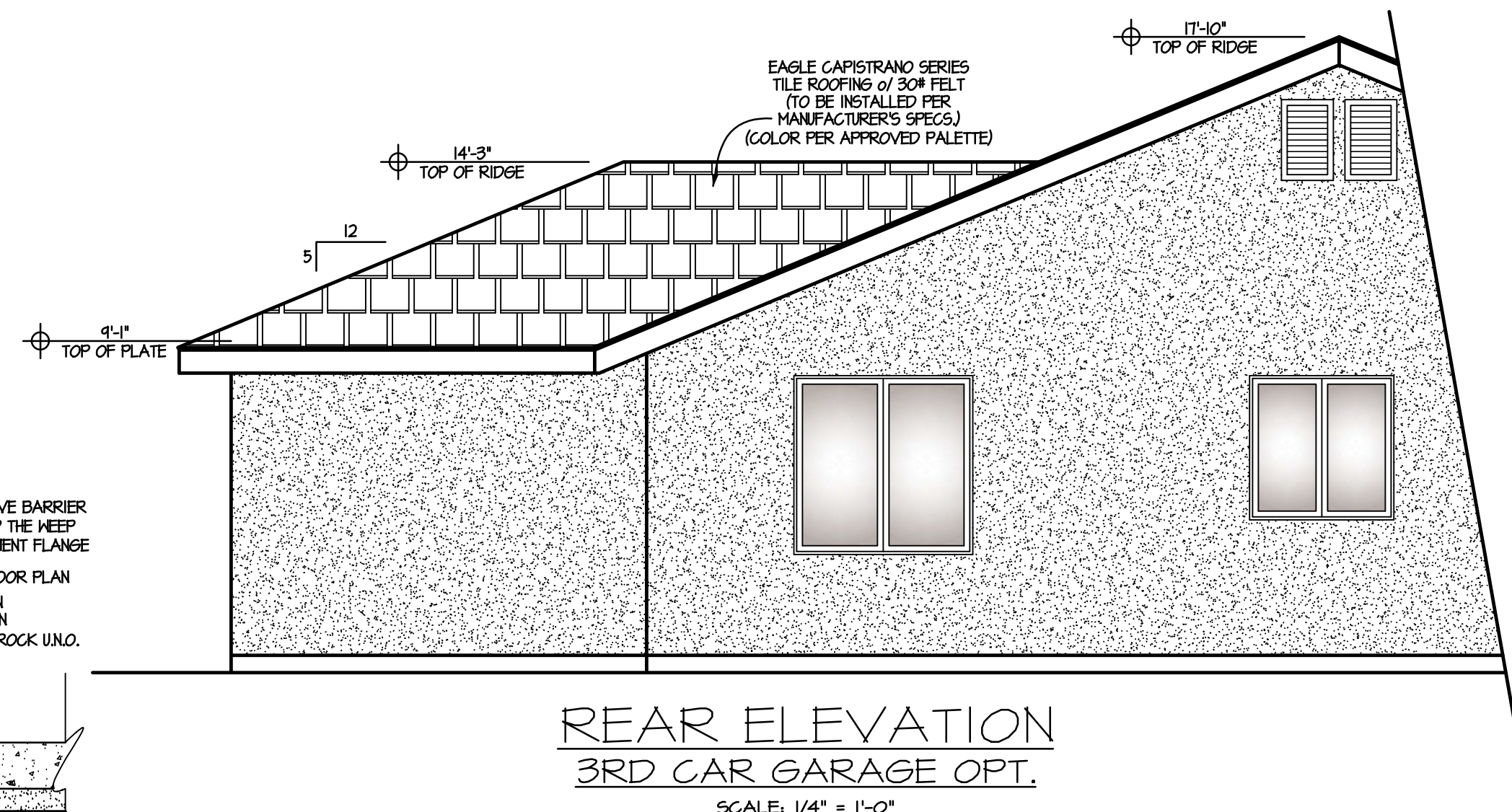


Rock Veneer Detail 'V'

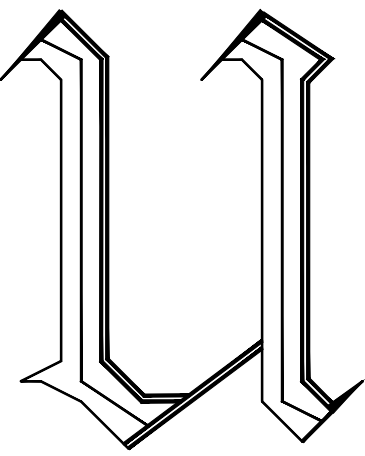


Weep Scream Detail 'A'

Weep Scream Detail 'B'



# The Abbey 1616 Plan Exterior Elevations 'C' w/ 9ft Plate



**Ubaldo Garcia Hernandez**  
 Architecture, Engineering & Development  
 Ubaldo Garcia Hernandez  
 Architect Lic. No. C-35319  
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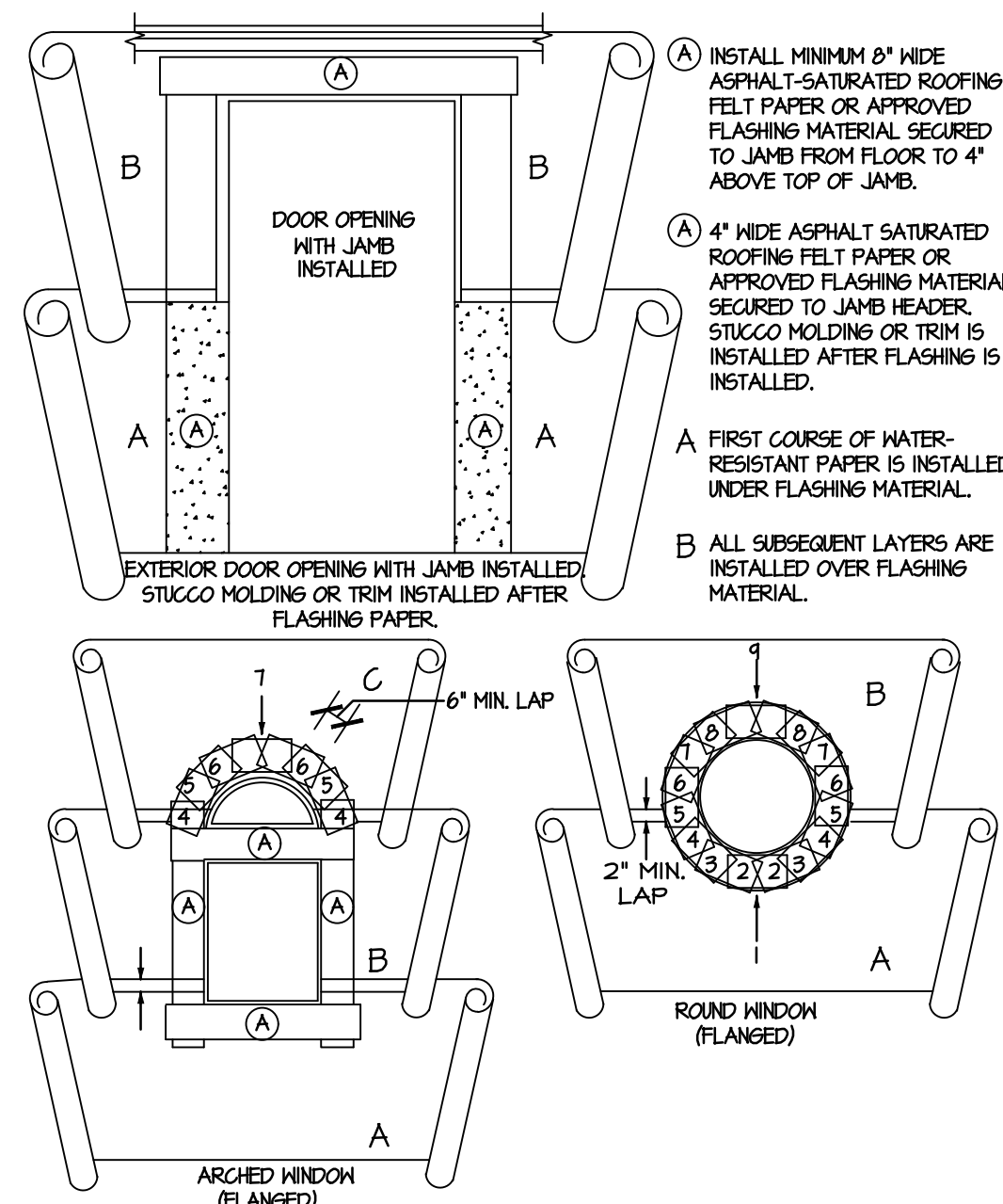
**Shreywood**

**OWNER / BUILDER:**  
**JOSEPH CROWN**  
 CONSTRUCTION & DEVELOPMENT, INC.  
 5320 E. PINE AVENUE  
 Fresno, CA 93727  
 Phone: (559) 275-5200  
 Email: jcrowncrownliving.com

DATE: 11/11/2021  
 SCALE: 1/4" = 1'-0"  
 JOB NO.: 1616 PLAN MADERA  
 SHEET

**A4**



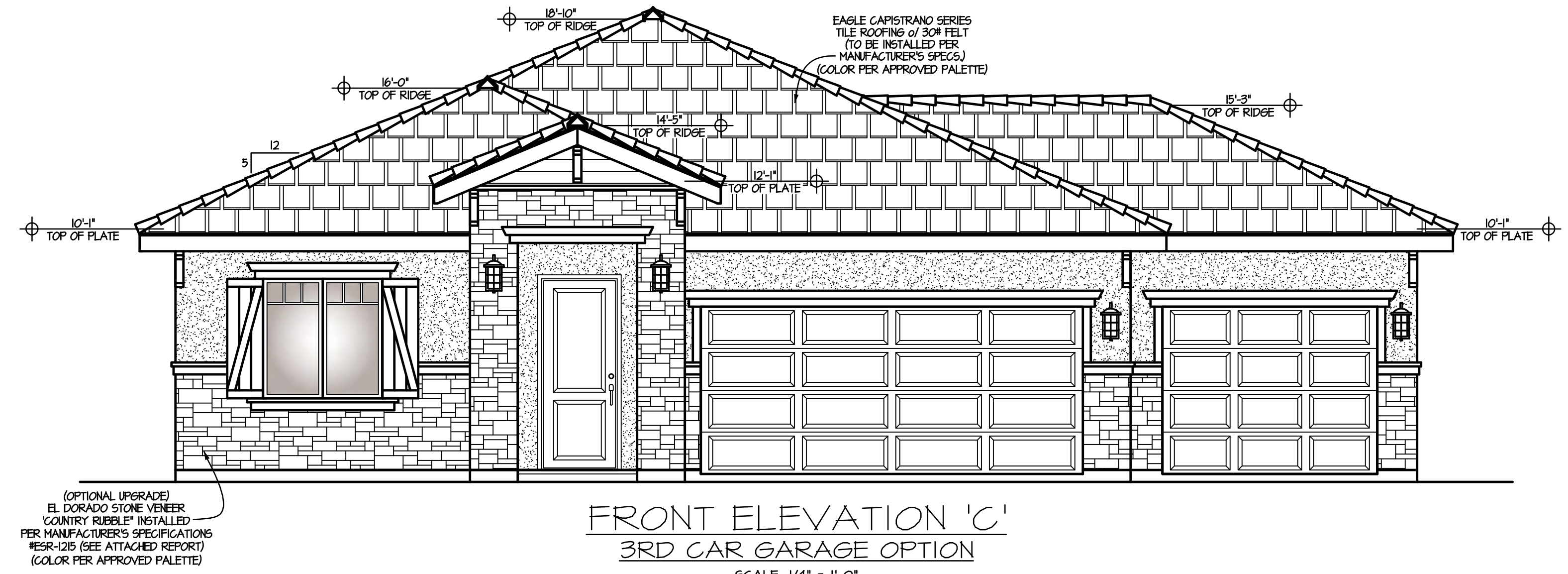


Door & Window Flashing Detail



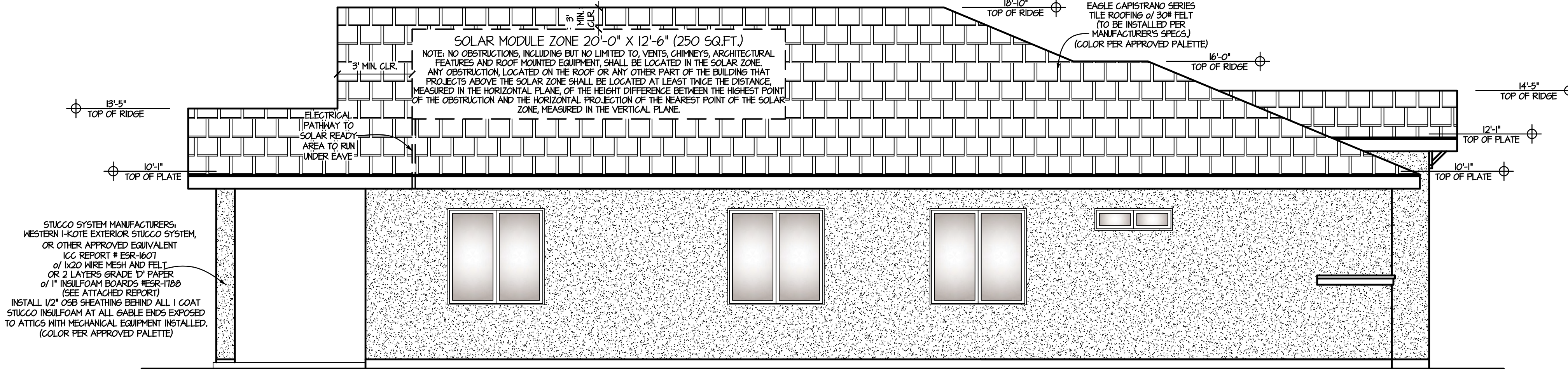
FRONT ELEVATION 'C'

SCALE: 1/4" = 1'-0"



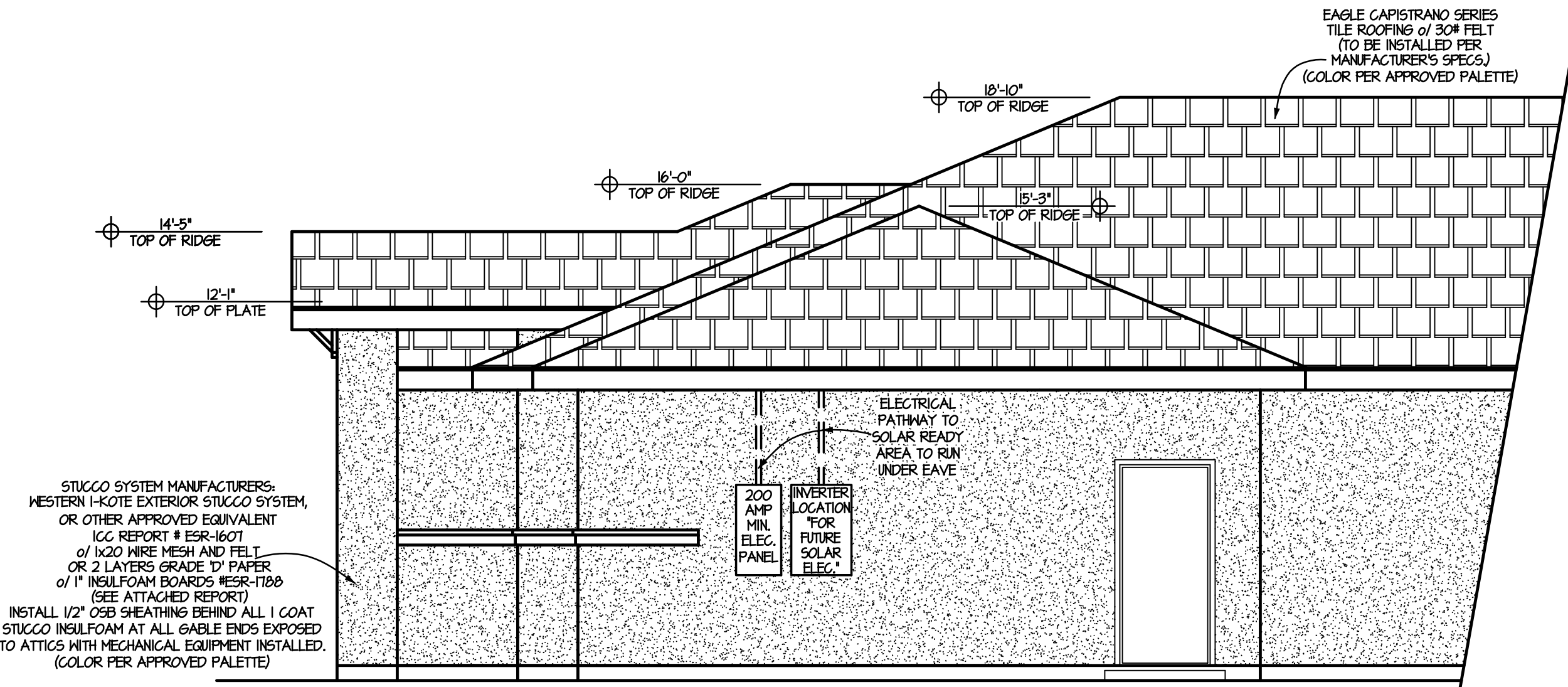
FRONT ELEVATION 'C'  
3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



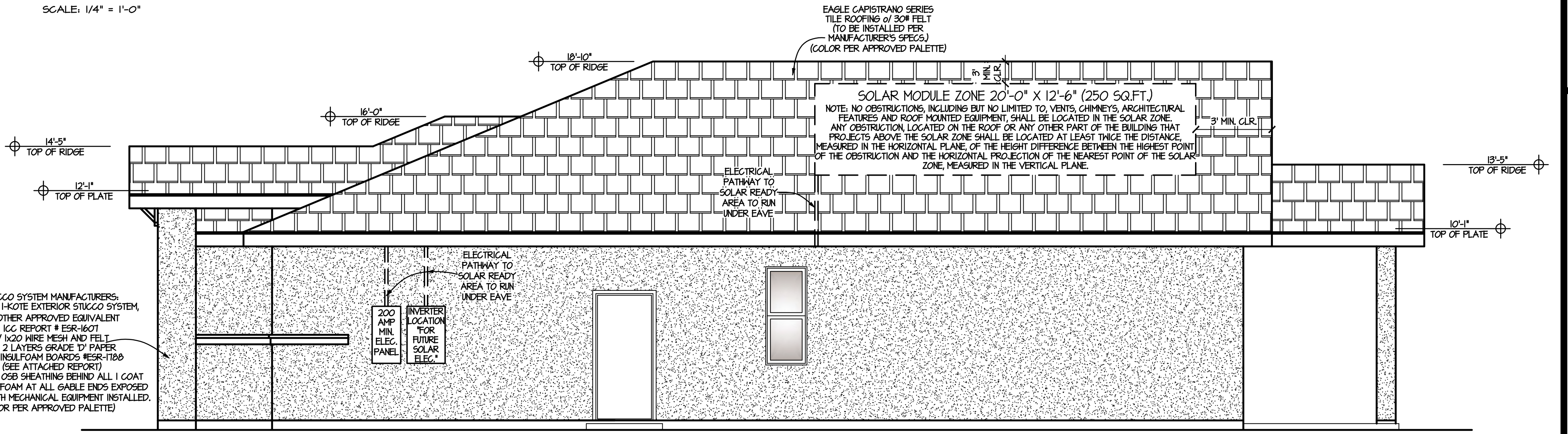
LEFT SIDE ELEVATION 'C'

SCALE: 1/4" = 1'-0"



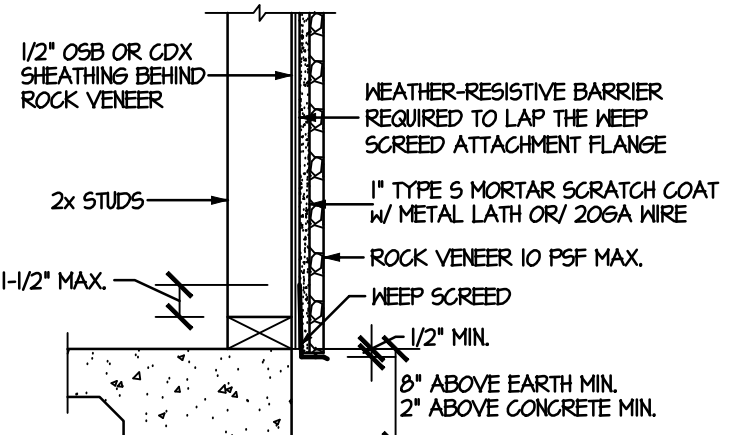
RIGHT SIDE ELEVATION 'C'  
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"

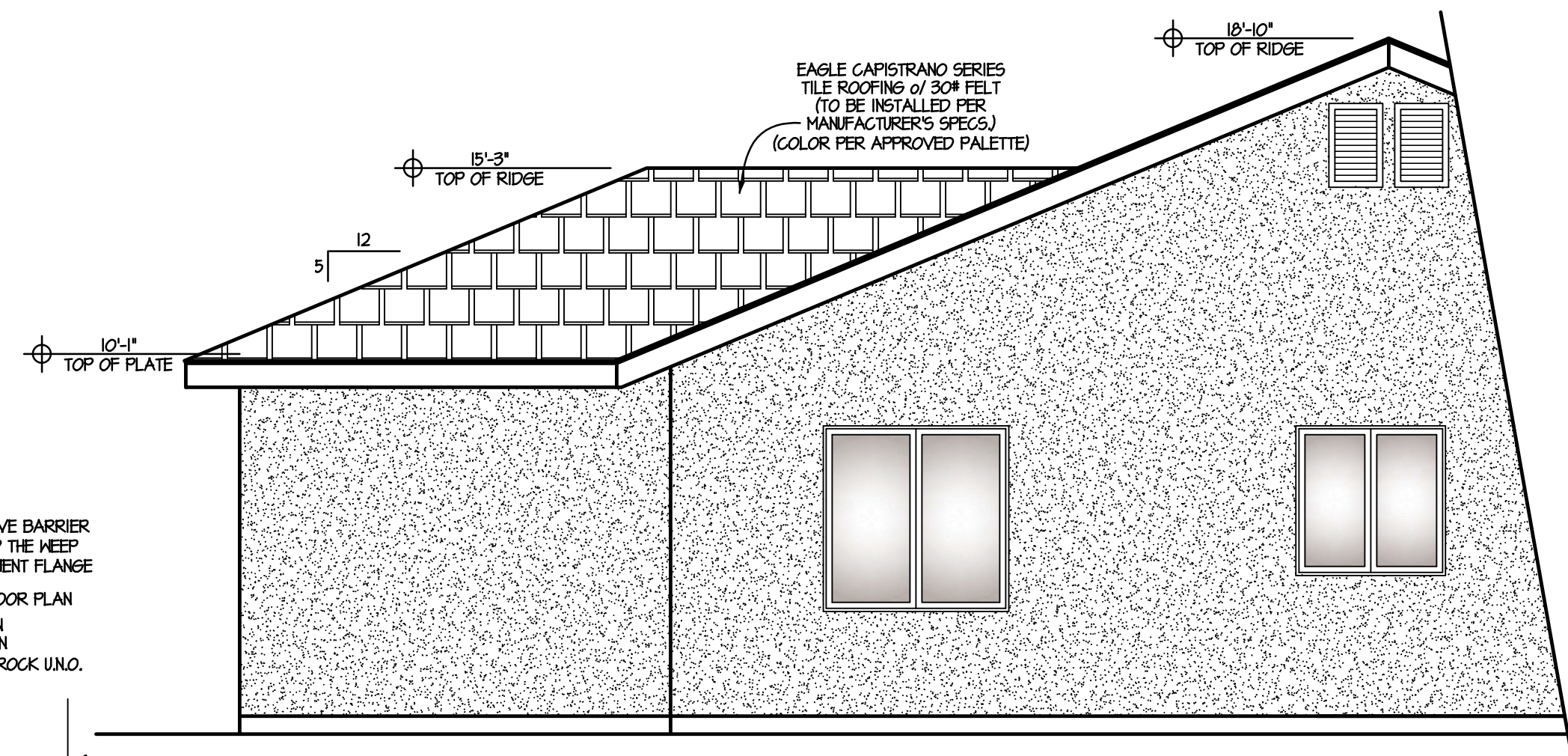


RIGHT SIDE ELEVATION 'C'

SCALE: 1/4" = 1'-0"

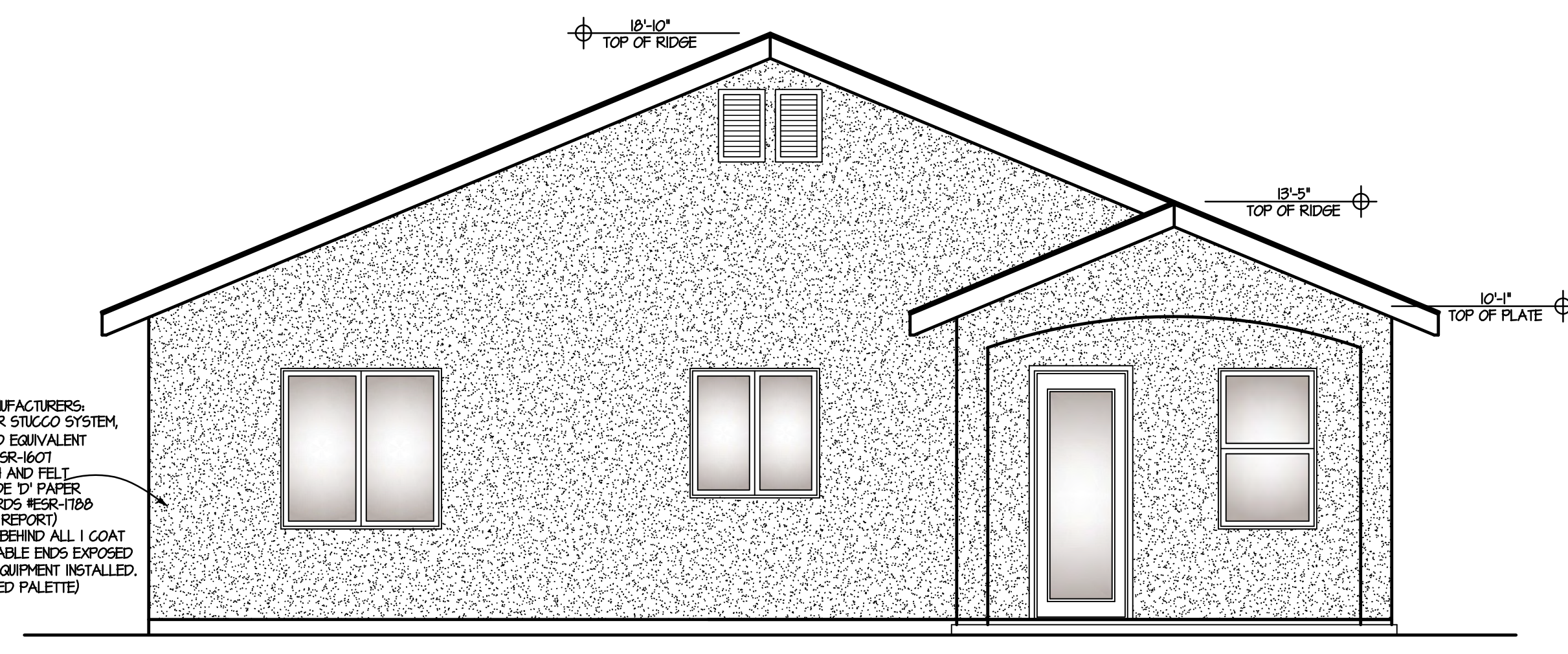


ROCK VENEER DETAIL 'V'



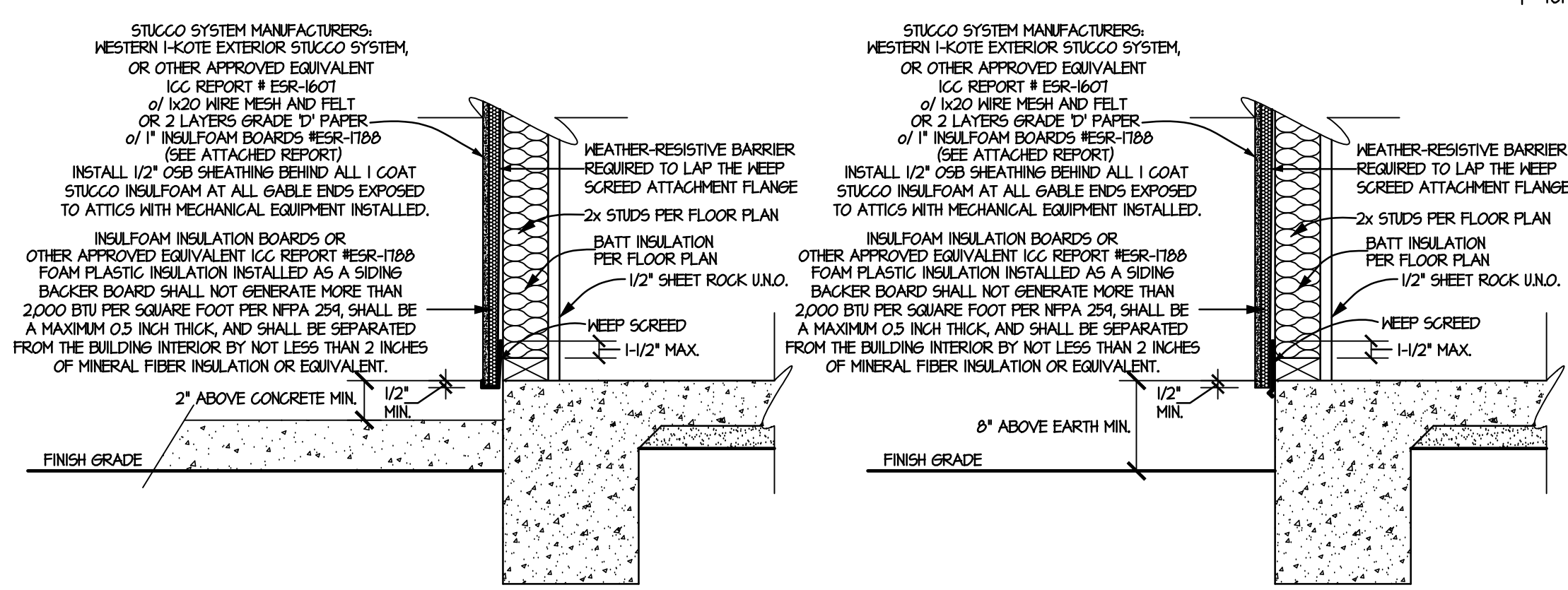
REAR ELEVATION  
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"



REAR ELEVATION

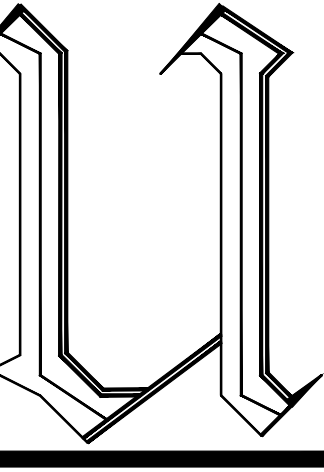
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Weep Scream Detail 'A'

Weep Scream Detail 'B'

The Abbey 1616 Plan Exterior Elevations 'C' w/ Opt. 10ft Plate



Ubaldo Garcia Hernandez & Development, Inc.  
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Tel: (559) 871-5534  
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Architect Lic. No. C-35319  
MADERA, CA 93639



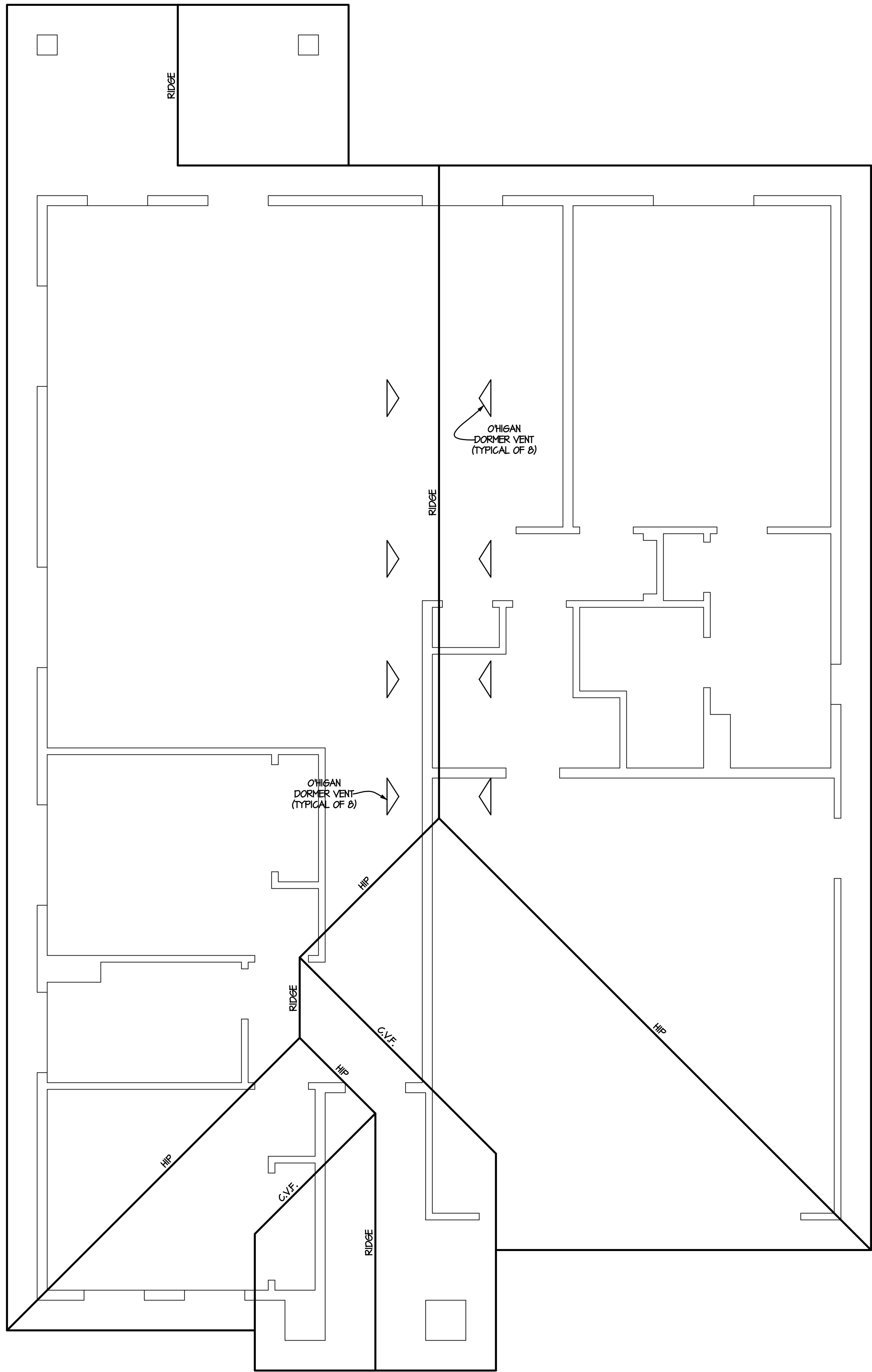
Joseph Wood

OWNER / BUILDER:  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
FRESNO, CA 93727  
Phone: (559) 275-5200  
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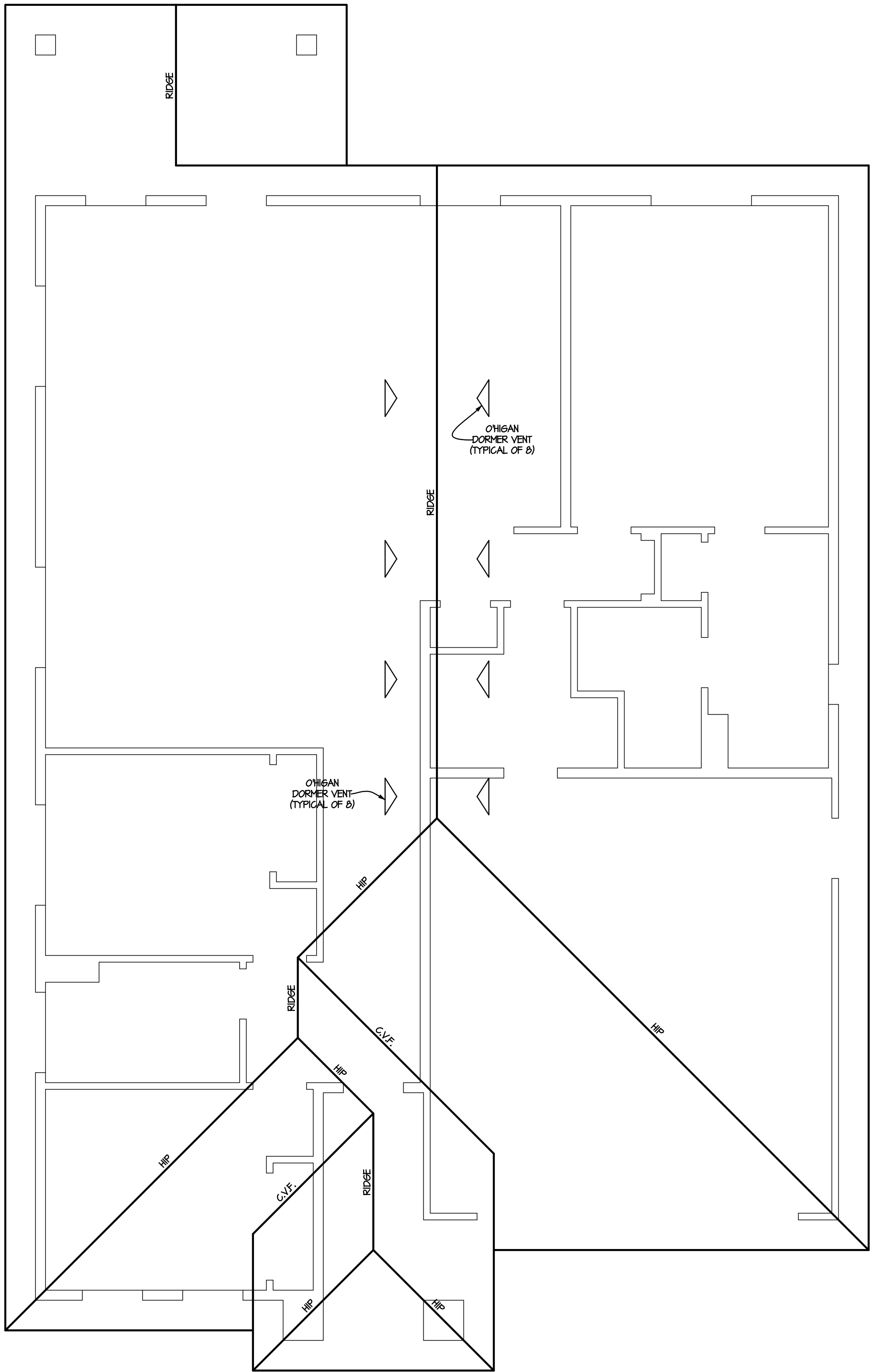
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JOB NO.: 1616 PLAN MADERA  
SHEET

B4

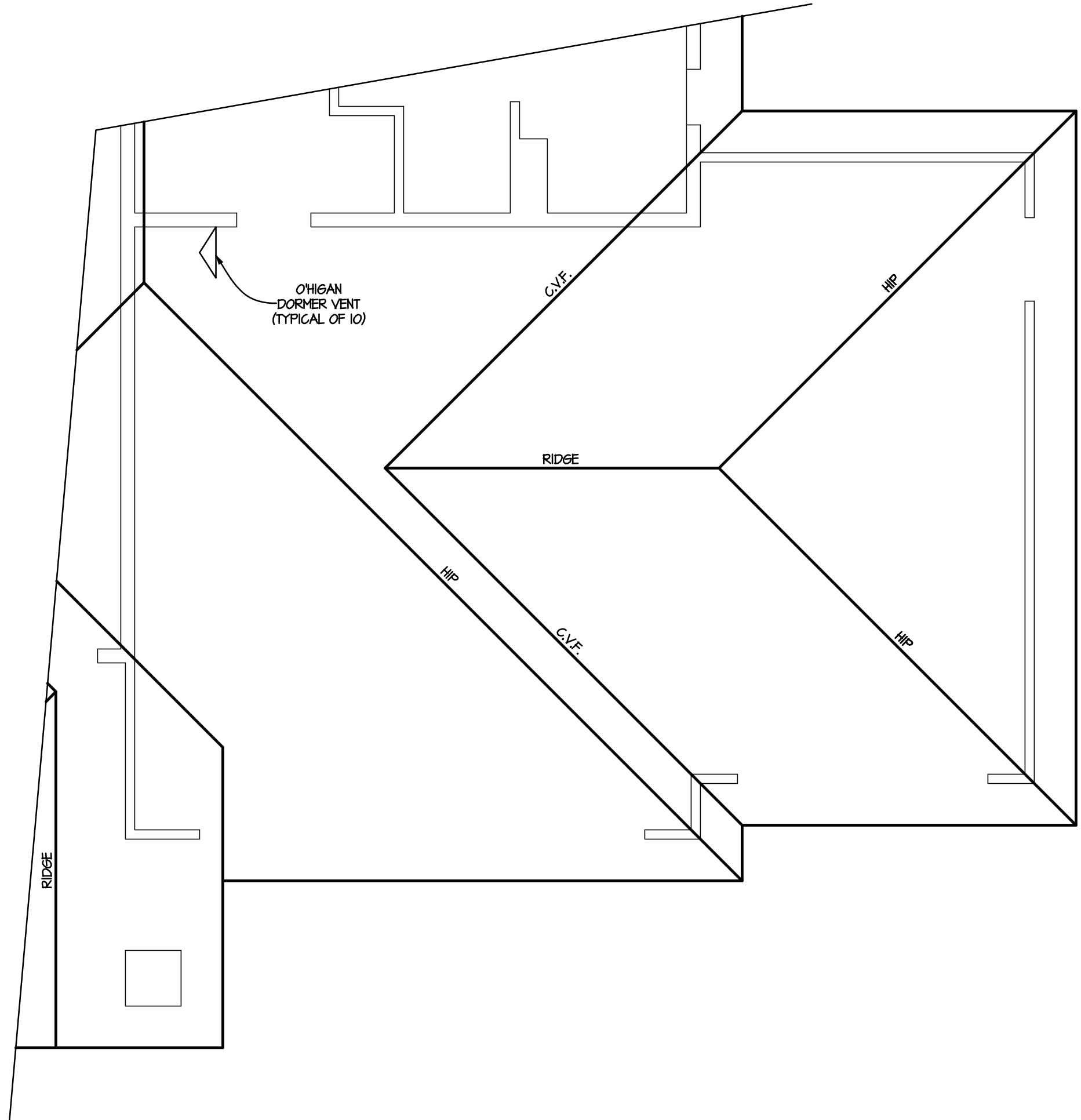




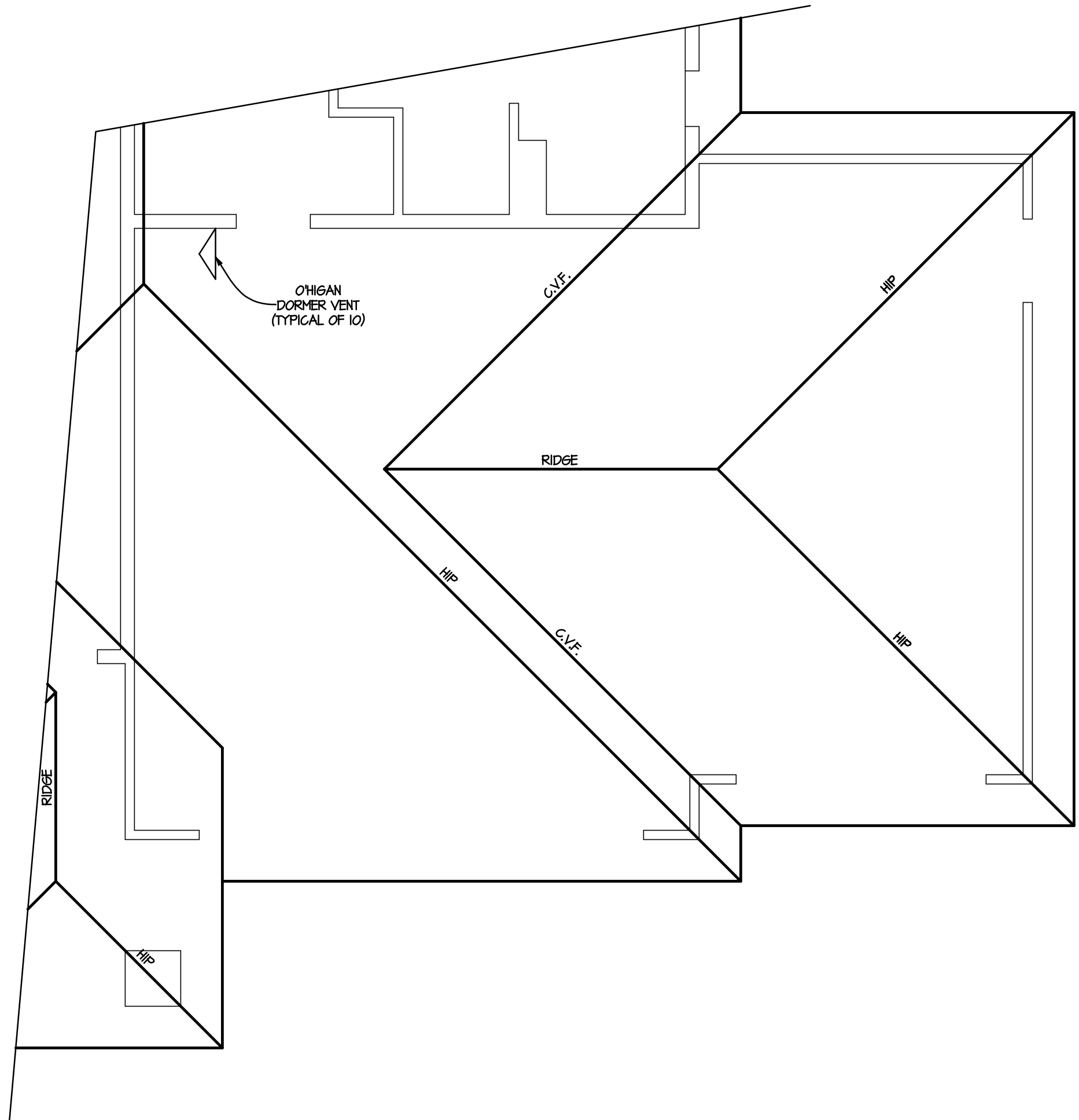
The Abbey 1616 Plan Roof Framing Plan 'A' & 'C'



The Abbey 1616 Plan Roof Framing Plan 'B'

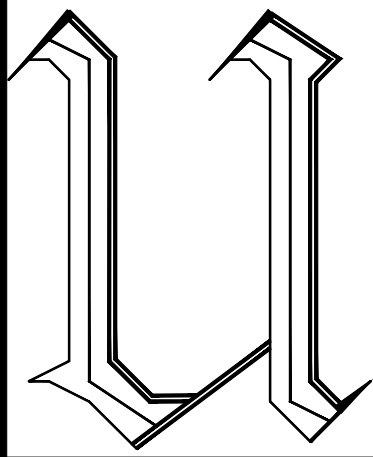


The Abbey 1616 Plan Roof Framing Plan 'A' & 'C'  
w/ optional 3rd Car Garage




The Abbey 1616 Plan Roof Framing Plan 'B'  
w/ optional 3rd Car Garage


The Abbey 1616 Plan Roof Framing Plan



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**Ubaldo Garcia Hernandez**  
Architect  
Lic. No. C-35319  
Ren. 11/30/2023  
State of California



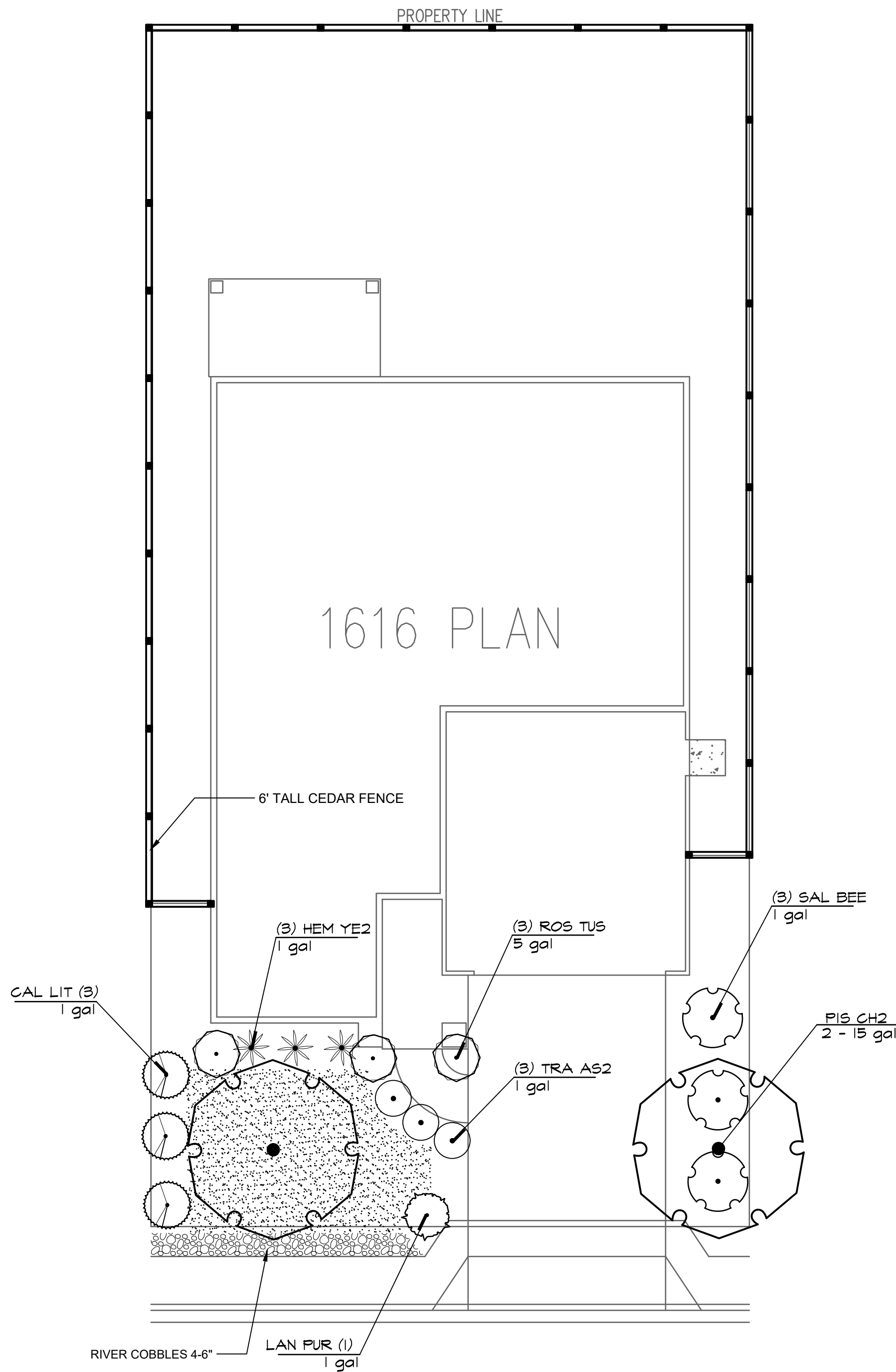
**Dreywood**

**OWNER / BUILDER:**  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
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Email: jcrown@crowning.com

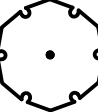
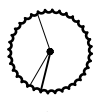
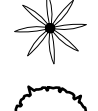


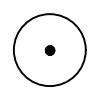


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11/11/2021  
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1616 PLAN MADERA  
SHEET

**S3**

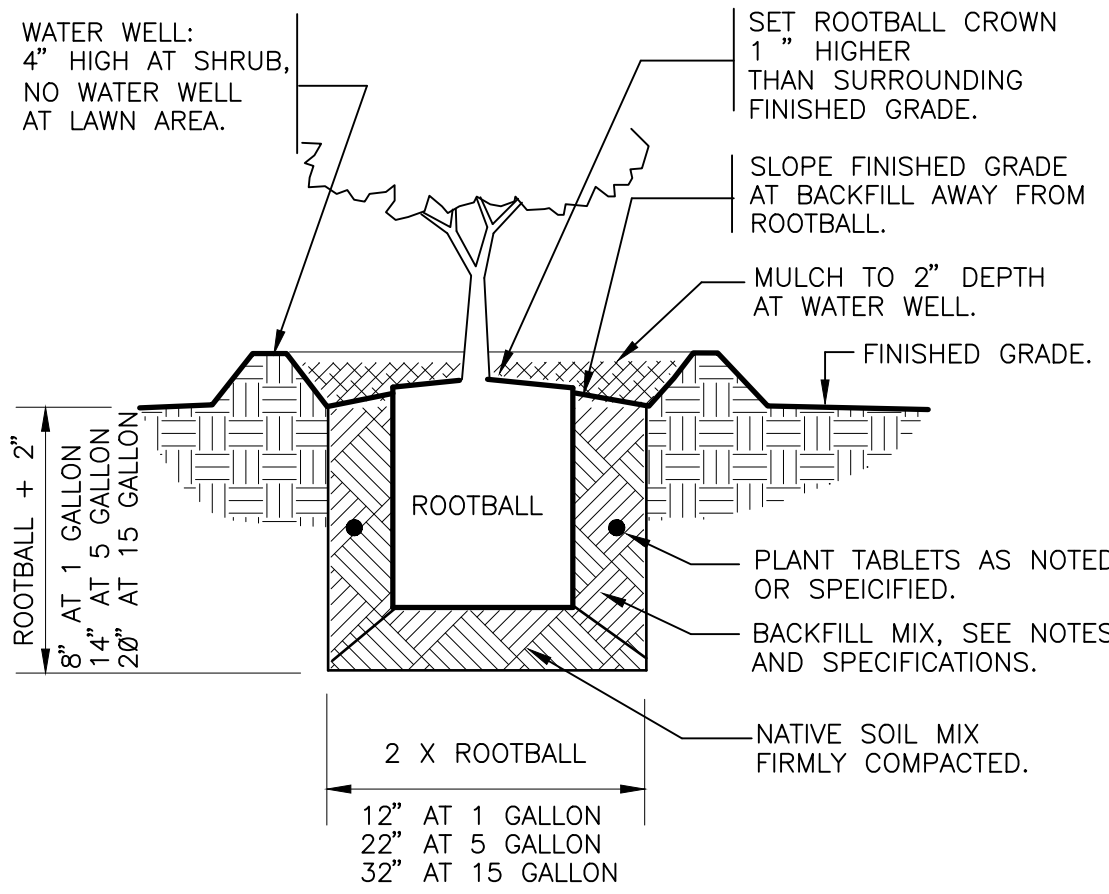




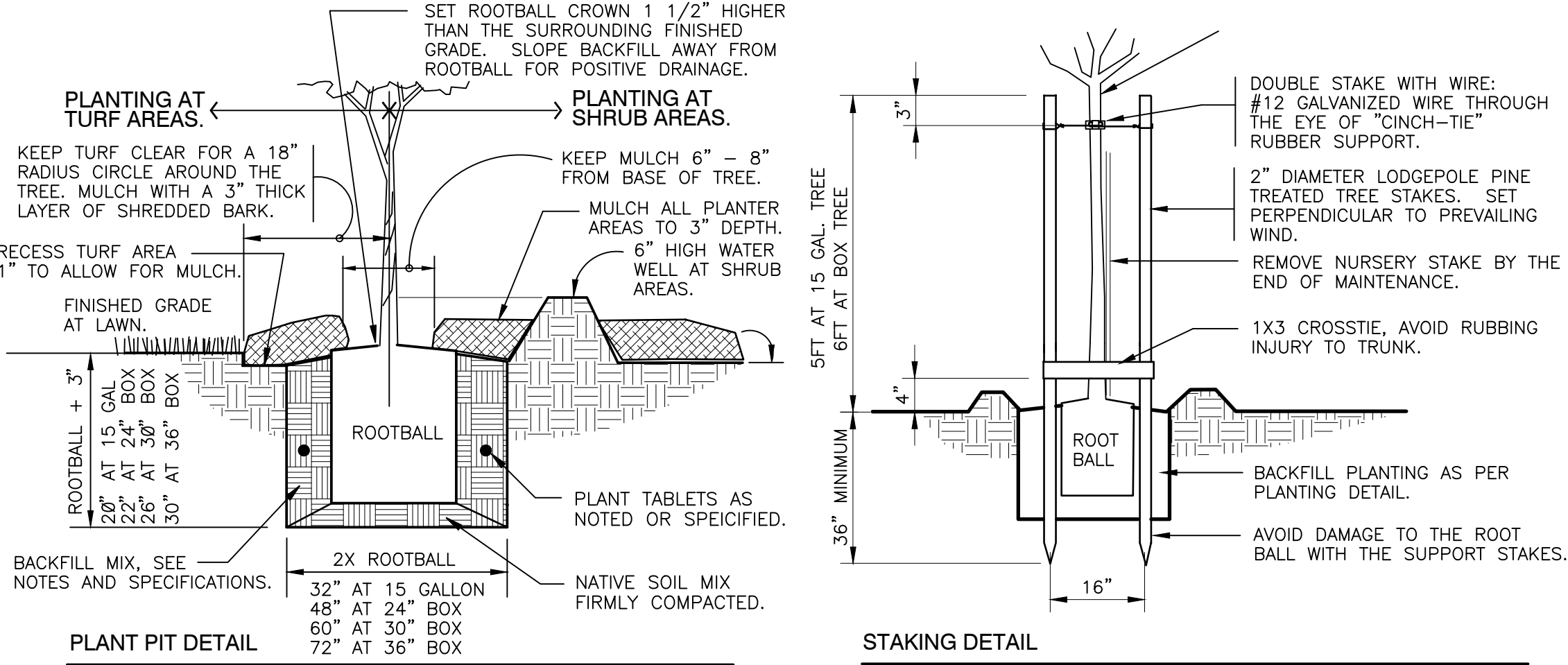
PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	GAL	MUCOLS	QTY	
	Pistacia chinensis / Chinese Pistache Alternate tree species between Chinese Pistache, Drake Elm, Aleppo Pine, or Desert Museum Palo Verde to provide visual variation in the subdivision.	15 gal	1"	.3	2	
SHRUBS	BOTANICAL / COMMON NAME	CONT	MUCOLS	MUCOLS	QTY	
	Callistemon citrinus 'Little John' / Dwarf Bottle Brush	1 gal	.2		3	
	Heimerocallis x 'Yellow' / Daylily	1 gal	.4		3	
	Lantana montevidensis / Trailing Lantana Groundcover 8' mature width	1 gal	.2		1	
	Rosmarinus officinalis 'Tuscan Blue' / Tuscan Blue Rosemary	5 gal	.2		3	
	Salvia x 'Bee's Bliss' / Sage	1 gal	.2		3	
	Trachelospermum asiaticum 'Asiatic' / Asiatic Jasmine	1 gal	.3		3	
GROUND COVERS	BOTANICAL / COMMON NAME	CONT	FIELD2	MUCOLS	SPACING	QTY
	Festuca x 'Bolero Plus' / Bolero Fescue	sod	.8			244 sf

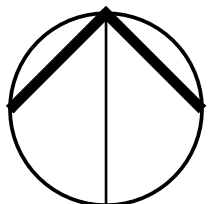
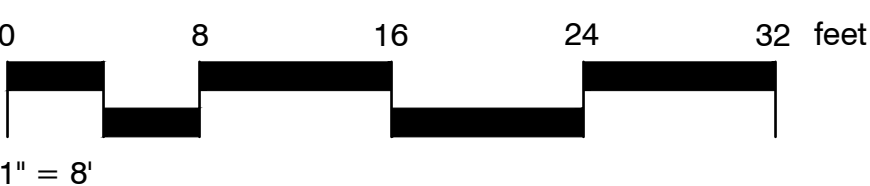
Model Water Ordinance Calculations					
City of Madera		51.50 ETo (inches/year)			
Square Ft. Overhead Spray	600				
Square Ft. Drip	1817				
MAWA = [(ETo - Eppt) x (0.62)] x [(0.55 x LA) + ((1.0 - 0.55) x SLA)]					
	40,385.65 Gallons				
	5,398.79 Cubic Feet				
	53.99 HCF				
	0.12 Acre Ft				
	0.04 Million Gallons				
Hydrozone	Type of Irrigation	Plant Water Use	Plant Factor	Hydrozone Area IE	(PFxHA (sqft)/IE
1. Shrub Planting	Drip	Low	0.30	1817 0.81	673
2. Fescue Turf	Overhead Spray	High	0.80	600 0.75	640
Results: MAWA=		40,386			
ETWU=		39,888 ETWU Complies with MAWA			



1 SHRUB PLANTING



2 TREE DOUBLE STAKE PLANTING

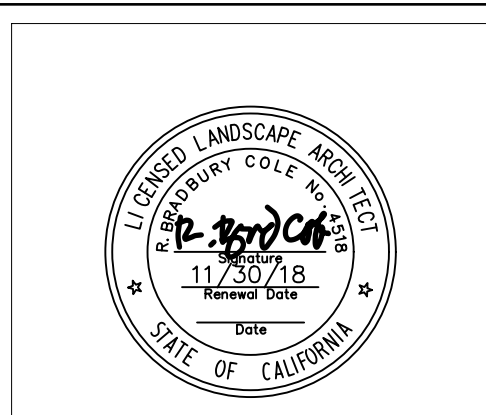


PLAN MODEL 1616



**BRAD COLE**  
Landscape Architect  
CA #4518  
371 W San Ramon Ave.  
Fresno, CA 93704  
Ph. (559) 284-4934  
bradc559@gmail.com

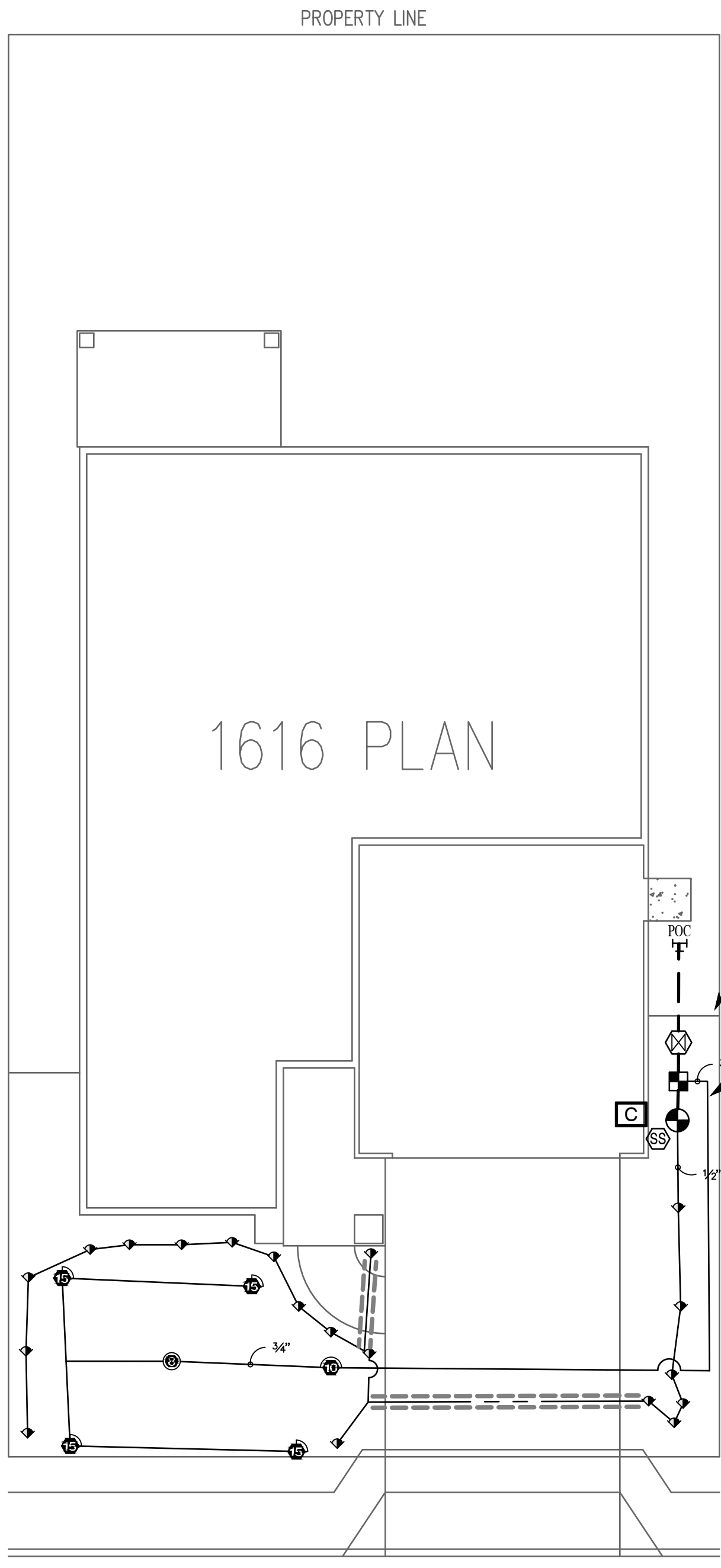
**JOSEPH CROWN**  
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Phone: (559) 275-5200  
Email: j.crown@crownliving.com



Revision	Notes	Date	CKBY

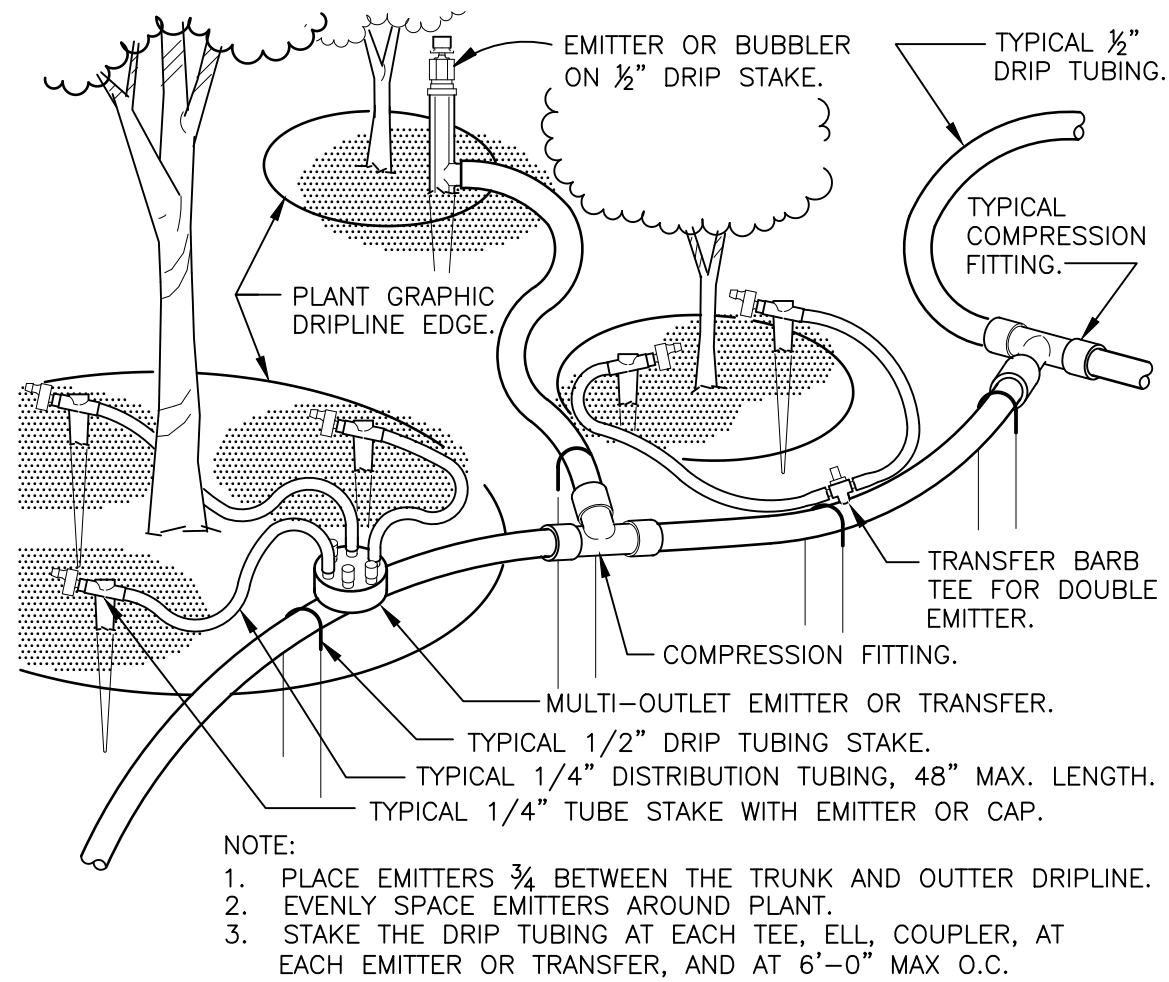
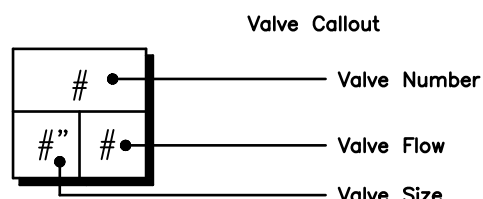
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Job Number:	22-02-04
Sheet:	L1



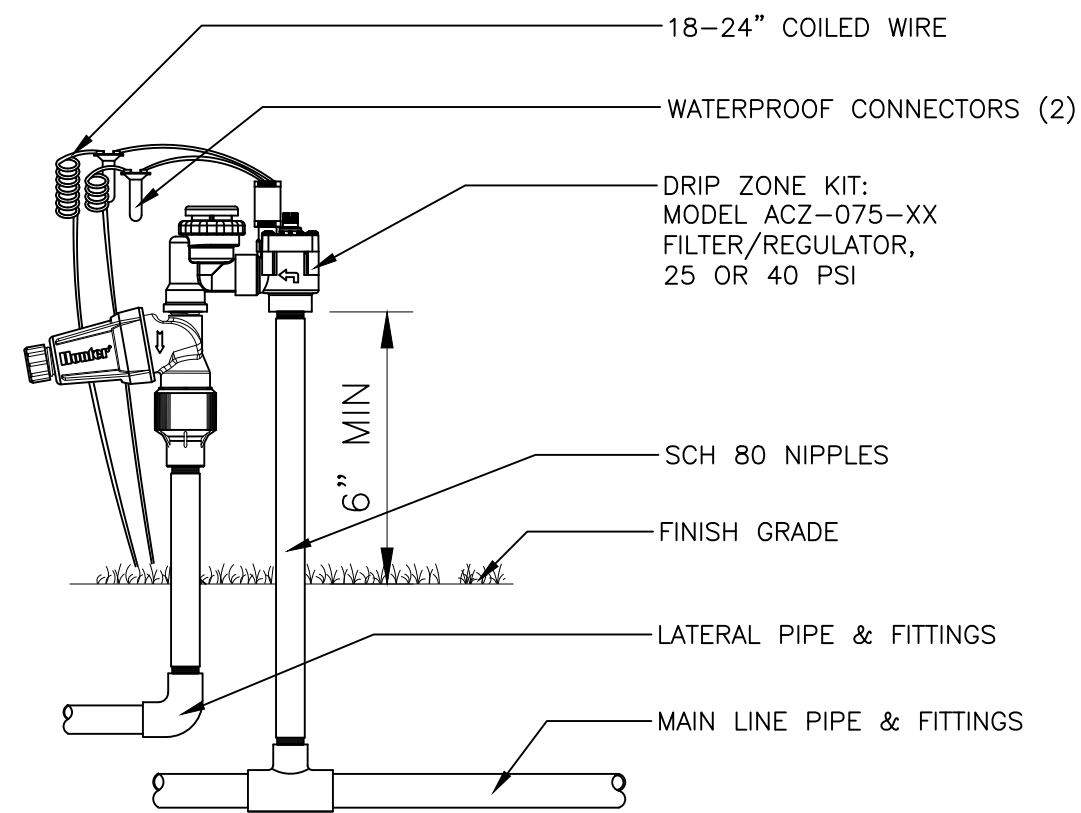


IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	PSI
	Rain Bird 1804 8 Series MPR Turf Spray 4.0" Pop-Up Sprinkler with Co-Molded Wiper Seal. 1/2" NPT Female Threaded Inlet.	1	30
	Rain Bird 1804 10 Series MPR Turf Spray 4.0" Pop-Up Sprinkler with Co-Molded Wiper Seal. 1/2" NPT Female Threaded Inlet.	1	30
	Rain Bird 1804 15 Series MPR Turf Spray 4.0" Pop-Up Sprinkler with Co-Molded Wiper Seal. 1/2" NPT Female Threaded Inlet.	4	30
SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	
	Netafim LVCZS8010075-HF Pre-Assembled Control Zone Kit, with 1" Series 80 Control Valve, 3/4" Disc Filter, and High Flow Pressure Regulator 4.5GPM to 17.6GPM.	1	
	Hunter HE-B 1.0 GPH Point Source Drip Emitters with Self Piercing Barb. Color coded emitters for flow rates of 0.5, 1.0, 2.0, 4.0, and 6.0 GPH. Can be inserted into 1/2" and 3/4" tubing and have pressure compensating from 15-50 PSI. Optional diffuser cap (HE) available.	19	
SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	
	Hunter PGV-ASV 3/4" and 1" Plastic Electric Remote Control Valve, with removable Anti-Siphon Cap, and Flow Control, for Residential Use. Inlet/Outlet: Female NPT Threads.	1	
	Nibco T-113 Class 125 bronze gate manual control valve with wheel handle, same size as mainline pipe diameter at valve location. Size Range - 1"	1	
	Hunter Solar-Sync Solar, rain freeze sensor with outdoor interface, connects to Hunter PCC, Pro-C, and I-Core Controllers, install as noted. Includes 10 year lithium battery and rubber module cover, and gutter mount bracket. Wired.	1	
	Point of Connection 1" Domestic Service	1	
	Irrigation Lateral Line: PVC Schedule 40	111.5 l.f.	
	Irrigation Lateral Line: Polyethylene Pipe SDR-7	96.3 l.f.	
	Irrigation Mainline: CPVC Schedule 40	12.4 l.f.	
	Pipe Sleeve: PVC Class 315 SDR 13.5	24.7 l.f.	



NOTE:  
1. PLACE EMITTERS 3/4" BETWEEN THE TRUNK AND OUTER DRIPLINE.  
2. EVENLY SPACE EMITTERS AROUND PLANT.  
3. STAKE THE DRIP TUBING AT EACH TEE, ELL, COUPLER, AT EACH EMITTER OR TRANSFER, AND AT 6'-0" MAX O.C.



1 TYPICAL DRIP TUBING

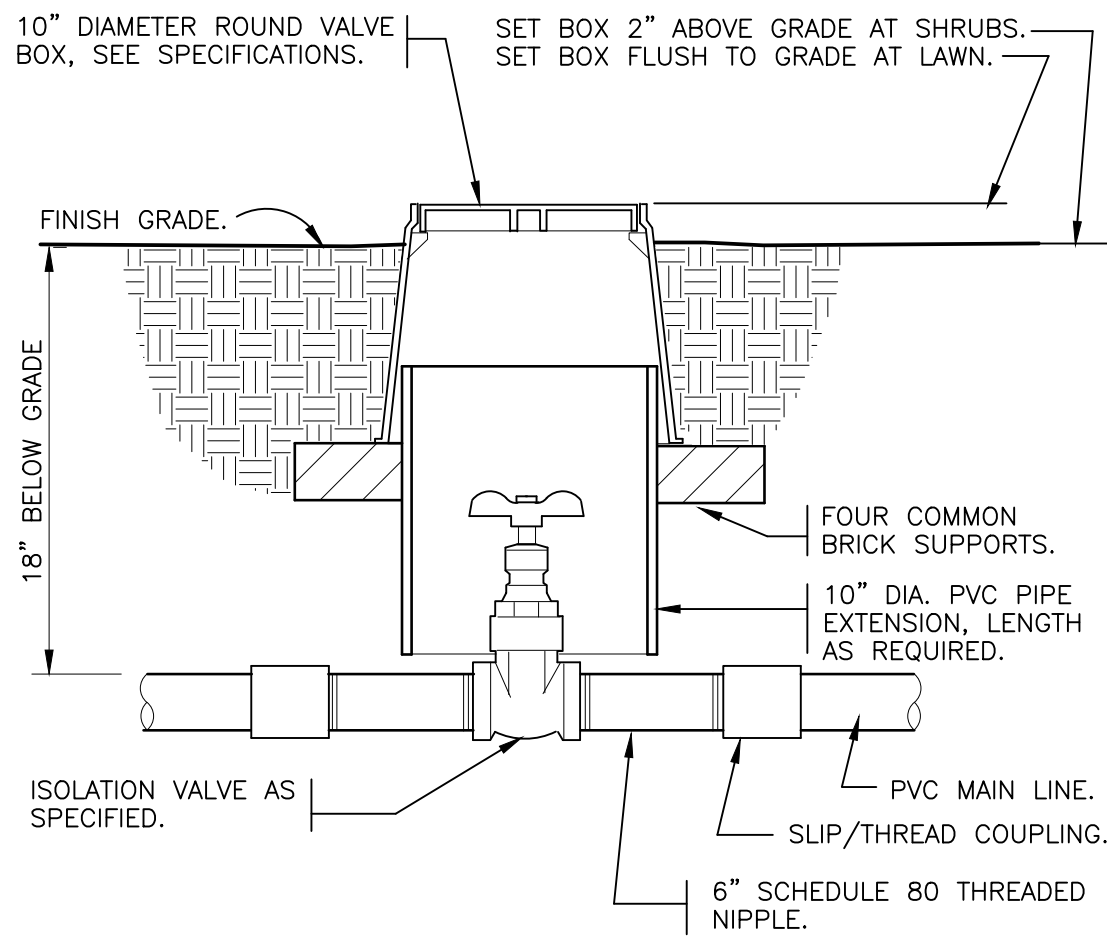
1 1/2" = 1'-0"

FX-IR-FX-DRIP-01

2 ACZ-075 VALVE WITH SCH 80 NIPPLES

1 1/2" = 1'-0"

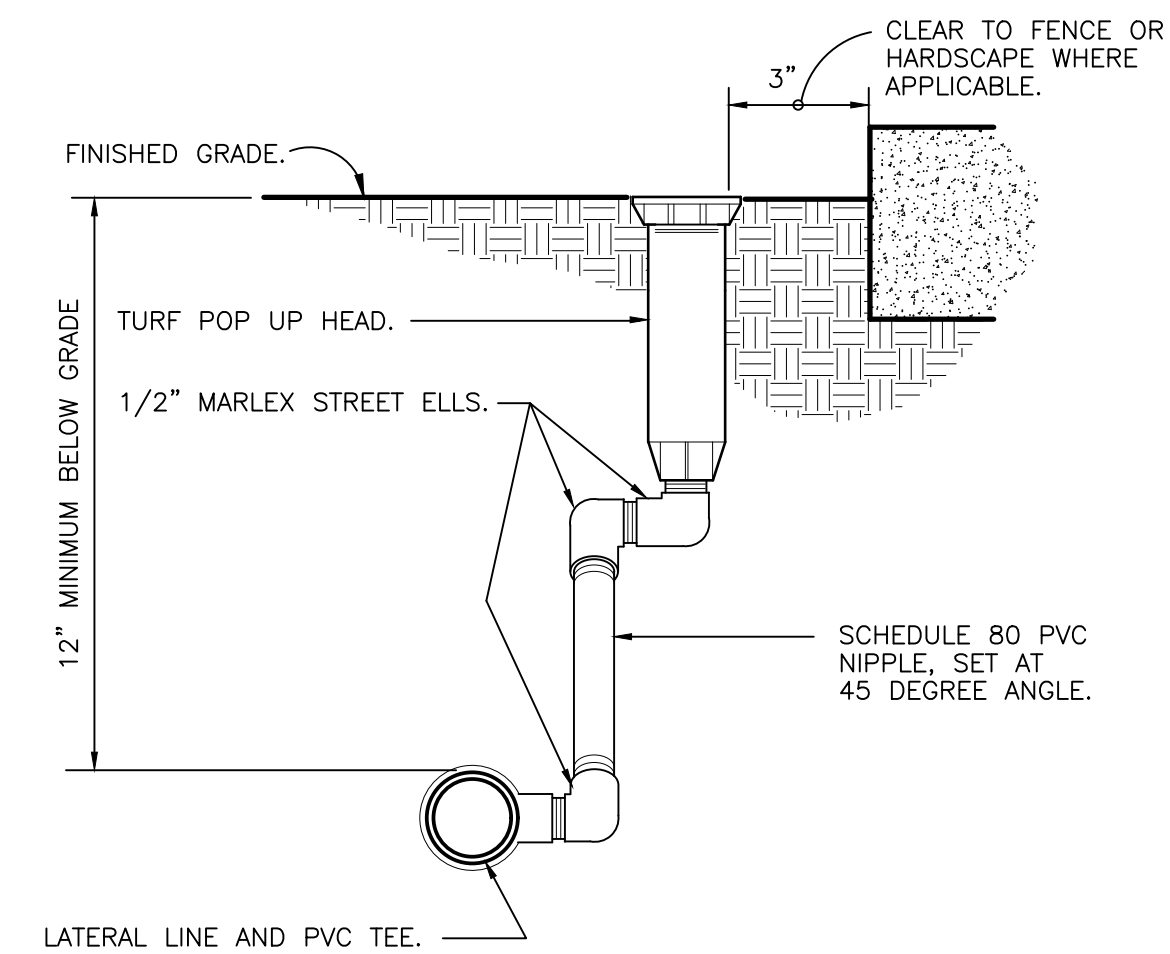
FX-IR-HUNT-VALV-55



3 BRASS ISOLATION VALVE

1 1/2" = 1'-0"

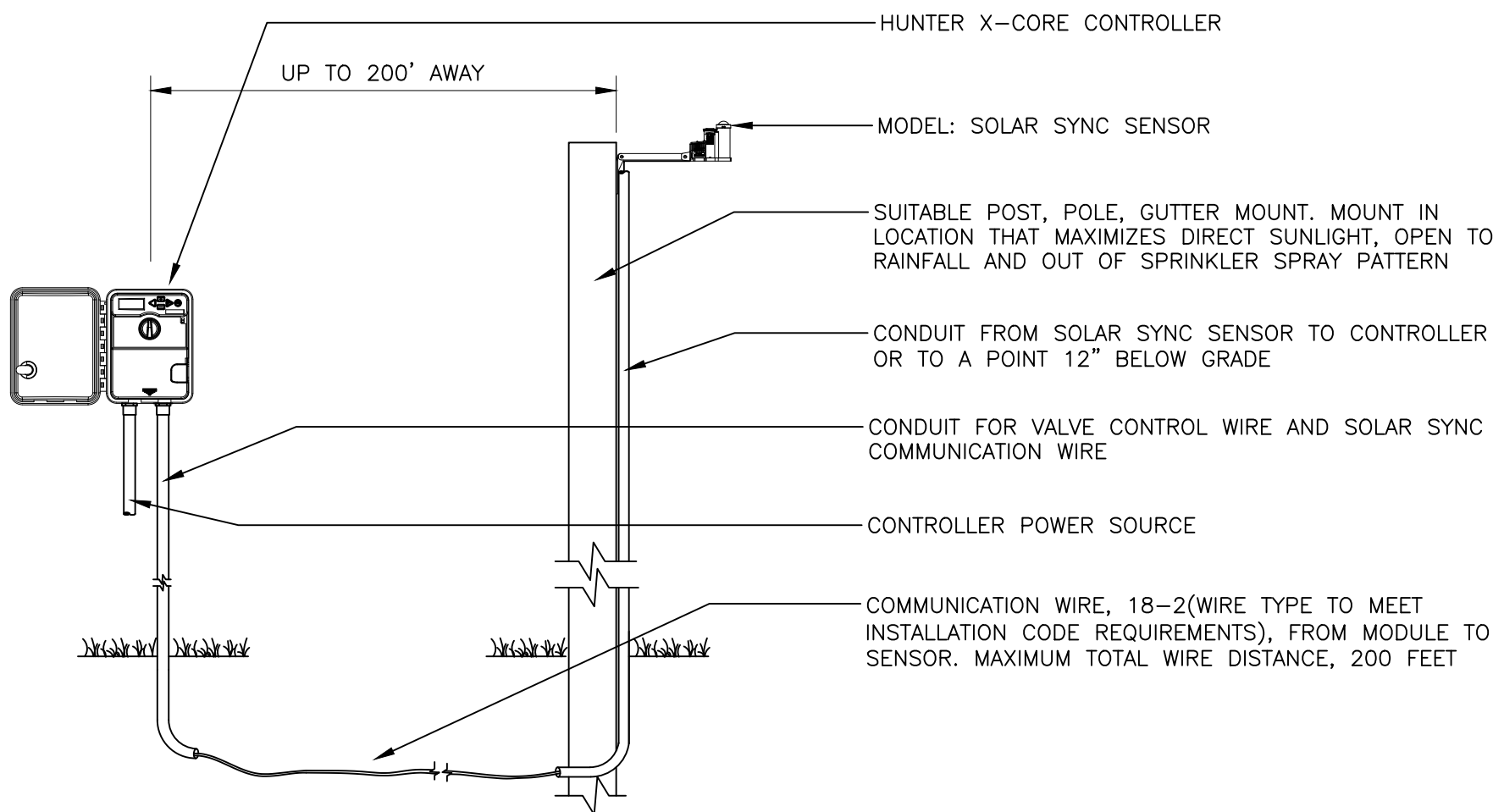
FX-IR-FX-ISOV-01



4 TURF SPRAY MARLEX ASSEMBLY

3" = 1'-0"

FX-IR-FX-HEAD-04



5 SOLAR SYNC SYSTEM WITH X-CORE

1" = 1'-0"

FX-IR-HUNT-SENS-24



BRAD COLE

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\*  
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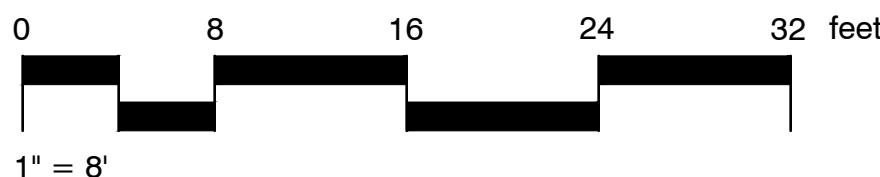
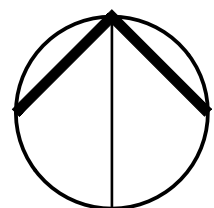
OWNER / BUILDER:  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
Phone: (559) 275-5200  
Email: jcrowncrownliving.com



"I HAVE COMPLIED WITH THE CRITERIA OF THE WATER EFFICIENCY LANDSCAPE REQUIREMENTS ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE IRRIGATION DESIGN PLAN"

Brad Cole 2-28-2022  
SIGNATURE DATE

By signing these plans I certify that "I have complied with the criteria of the model water efficient landscape ordinance and applied them accordingly for the efficient use of water in the landscape and irrigation design plans"



PLAN 1616 IRRIGATION PLAN

Know what's below.  
Call before you dig.

Revision	Notes	Date	CKBY

Date: 02-27-2022  
Scale: as noted  
Drawn By: B. Cole  
ob Number: A 22-02-04  
Sheet: L2



Model Efficient Landscape Ordinance (MWELO) Notes:

1. These plans have been prepared to be in compliance with the State–mandated Water Model Efficient Landscape Ordinance. (MWELO). The following notes reference the requirements of the ordinance and the responsibility of the contractor to install the landscape per plans, details, and notes; provide the required documentation to the local agency and provide follow–up corection as required to meet the water efficiency requirements.
2. The landscape contractor shall coordinate with the local jurisdiction to determine who will review and receive the MWELO documentation that is required to be provided by the contractor.

Landscape Documentation Package

1. Project information and signatures– The signature of the landscape architect on these landscape plans is applicable to the statement– "I agree to the best of my ability to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Document Package".
2. Water Efficient Landscape Worksheet– See MAWA and ETWU, as well as hydro–zone information table on sheet P–4.
3. Soil management report– See Notes and requirements as described below.
4. Landscape Design Plan – See Planting Plans and details contained within this set of documents. Standard details per the city of Kingsburg when referenced in this set of documents are considered part of the documents.
5. Irrigation Design Plan – See irrigation plans and details contained within this set of documents.
6. Grading Design Plan – To be provided by the civil engineer – See civil engineer’s plans.

Soil Management Report

1. After mass grading the contractor shall provide for a soil analysis that shall comply with the requirements provided below. The analysis report is to be forwarded to the landscape architect, owner, and governing jurisdiction.
2. Soil samples shall be collected in accordance with the laboratory protocol including adequate sampling depth.
3. At least one sample shall be provided for each 20,000 sf of landscape unless otherwise noted by the landscape architect. Samples shall be taken from different areas of the site as directed by the landscape architect.
4. The Soil Analysis shall include the following:
  - Soil Texture
  - Infiltration Rate (determined by lab test or soil texture infiltration rate table).
  - Ph
  - Total soluble salts
  - Sodium
  - Percent organic mater
  - Recommendations for soil amendments, fertilizer, etc. for the type of landscape planting proposed.
5. Soil Analysis shall be conducted by an approved soil testing lab. The following are acceptable (but not required) labs:  
Sunland Analytical, 11419 Sunrise Gold Circle, Suite 10, Rancho Cordova, CA 95742, (916) 852–8557, [www.sunland-analytical.com](http://www.sunland-analytical.com)  
Soil and Plant Lab, 1101 S. Winchester Blvd, Suite G–173, San Jose, CA 93128, (408) 727–0330, [www.soilandplantlaboratory.com](http://www.soilandplantlaboratory.com)  
Soil and Plant Lab, 4741 East Hunter Ave. Suite A, Anaheim, CA 92807, (714) 282–8777, [www.soilandplantlaboratory.com](http://www.soilandplantlaboratory.com)
6. The recommendations of the soil analysis are to the implemented in the landscape soil preparation. The contractor shall provide documentation prior to planting, verifying that recommendations have been implemented to the landscape architect and the governing jurisdiction.

Landscape Design (Planting)

1. The landscape has been designed and plants selected to be compliant with the requirement of the MWELO. The contractor shall not make changes without written approval by the landscape architect. If the contractor deviates from the plan and it is not acceptable to the landscape architect, the contractor will be required to make changes at his/her expense to bring the landscape into compliance.
2. Plants have been placed in 'hydrozones' of similar water use requirements. The extent of the

- hydrozones are delineated by the groups of irrigation circuits as listed in the Hydrozone Table, included with these plans.
3. Turf is not allowed on slopes greater than 25% (4:1)
  4. Mulch is required in all planting areas except for turf, creeping or rooting groundcovers, direct seeding applications, cobble areas, or other areas specifically noted on the plans. The mulch shall be minimum of 3", but the depth as listed in the planting legend shall take priority.
  5. Mulch shall be Gorilla Hair, natural in color. Available at Rosenbalm’s Rockery , 1393 So. Golden State Blvd. Madera, CA 93637 (559) 673–1629
  6. Soil amendments shall be incorporated per the soil report and shall achieve a friable condition.
  7. For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top 6 inches of soil are exempt from adding compost and tilling.
  8. Compost shall be derived from green material consisting of chipped, shredded, or ground vegetation or clean, processed, recycled wood products or a Class A, exceptional quality biosolids composts, as required by the United States Environmental Protection Agency (EPA), 40 CFR, Part 503c regulations or a combination of green material and biosolids compost. The compost shall be processed or completed to reduce weed seeds, pathogens, and deleterious material, and shall not contain paint, petroleum products, herbicides, fungicides, or other chemical residues that would be harmful to plant or animal life. Other deleterious material, plastic, glass, metal, or rocks shall not exceed 0.1 percent by weight or volume.A minimum internal temperature of 57 degrees C shall be maintained for at least 15 continuous days during the composting process. The compost shall be thoroughly turned a minimum of 5 times during the composting process and shall go through a minimum 90–day curing period after the 15–day thermophilic compost process has been completed. Compost shall be screened through a maximum 9.5–mm screen. The moisture content of the compost shall not exceed 35 percent. Compost products with a higher moisture content may be used provided the weight of the compost is increased to equal the compost with a moisture content of 35–40 percent. Moist samples of compost on an as–received basis shall be dried in an oven at a temperature between 105 degrees C and 110 degrees C until a constant dry weight of the sample is achieved. The percentage of moisture will be determined by dividing the dry weight of the sample by the moist weight of the sample and then multiplying by 100. Compost will be tested for maturity and stability with a Solvita test kit. he compost shall measure a minimum of 6 on the maturity and stability scale
  8. The signature on the landscape plans is applicable to the statement– "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan."

Grading Design

1. See the grading and drainage plan as prepared by the civil engineer. The landscape contractor shall maintain the drainage patterns as specified in the grading plans.
2. The site has been graded so that irrigation and normal run–off remains within the property lines, unless otherwise noted on the grading plans.
3. The landscape areas may include bioswales or filtration swales. The landscape contractor shall install these per the requirements of the civil engineer’s plans and details with planting per these plans. Any modifications must be approved in writing by the civil engineer and the landscape architect.

Irrigation Design

1. The irrigation water service shall be on a separate meter than the domestic service.
2. The irrigation controller (clock) shall be a 'smart' controller using evapotranspiration or soil moisture sensor data to automatically adjust run times based on landscape area water needs.
3. The irrigation system has been designed for each emission device to operate within the manufacturer’s recommended pressure range for optimal performance. If the water pressure at the service connection is different than what is shown on the plans the contractor shall notify the landscape architect prior to the installation of the irrigation system. Contractor shall check available water pressure before any irrigation installation.
4. Pressure regulators or booster pumps shall be installed if needed to modify available pressure for the optimal performance of the irrigation emission devices. See specification on the plans and refer to note #3 above.
5. A rain sensor shall be installed and tied to the controller – See plan for selection.
6. Gate valves(s) shall be installed directly downstream of the service connection(s).
7. An approved backflow preventer shall be installed at the irrigation service connection(s). See plan.
8. Check valves shall be installed in all heads at the low points of the circuit where water within the piping may drain out of the head when the system is done operating – See plan.
9. The irrigation circuits have been designed to correspond to the planting hydrozones. Changes to the irrigation layout and types of emission devices are no to be made without the written consent of the landscape architect.
10. The overall irrigation system has been designed to correspond to the planting hydrozones. Changes to the irrigation layout and types of emission devices are not to be made without the written consent of the landscape architect.
11. The irrigation system has been designed so that each circuit has matched precipitation rates

- within the circuit and high distribution uniformity. The contractor shall not substitute without written consent of the landscape architect.
12. Swing joints shall be installed on all pip–up heads per the plans and details.
  13. Areas less than 8’ in width have been irrigated with subsurface, drip, or low volume irrigation. If construction site modifications reduce spray irrigated planter areas less than 8’ contact the landscape architect.
  14. Overhead spray irrigation heads and nozzles are not allowed within 24” of non–permeable paving that drains into landscape before entering the storm drain system.
  15. Sloped planting areas greater than 25% (4:1) have been designed with irrigation whose precipitation rate does not exceed .75"/hour or another means has been employed and described on the plans.
  16. Trees may be designed with a separate deep root bubbler system – See the plans.
  17. The signature on the irrigation plans is applicable to the statement – " I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan."

Irrigation Schedule

1. The landscape contractor shall provide a base irrigation schedule and shall be submitted with certification of completion. Overhead irrigation shall be scheduled between 8:00 pm and 6:00 am unless otherwise noted on the plans or more strict water hours are required by the local jurisdiction.
2. The irrigation run times, length of run, and frequency of run times may need to be adjusted based on infiltration rate of the soil. Slope. Etc. to avoid run–off.
3. The specific parameters of the site conditions are to be input into the 'smart' controller.

Irrigation Audit

1. If needed, all irrigation audits shall be conducted by a certified landscape irrigation auditor.
2. The irrigation system shall be audited after it has been installed and 'fine–tuned'. The audit report is to be included with the Certificate of Completion and shall include, but not limited to:
  - a. System test for distribution uniformity
  - b. Recommendations for any adjustments that may be needed.
  - c. Preparation of an irrigation schedule.The contractor shall make the adjustments as recommended in the irrigation audit.

Certificate of Completion

1. The contractor shall provide to the governing jurisdiction and the landscape architect a Certificate of Completion that at a minimum includes the following:
  - a. Date of completion and date of the certificate.
  - b. Project Name and Address (or specific location)
  - c. Project Applicant name, telephone number, and mailing address.
2. The landscape contractor shall sign a statement that says the landscape and irrigation system have been installed per the approved Landscape Document Package (plans, details, notes, and calculations as contained within this plan set.)
3. If there have been modifications to the layout and/or design of the landscape and irrigation system, the contractor shall include with the Certificate of Completion a set of as–built plans or record drawings that reflect the modifications. The modified landscape and irrigation must remain in compliance with the WELO.
4. The Certificate of Completion shall include the initial irrigation audit that shows the irrigation is in compliance with the irrigation efficiency requirements for WELO (see audit information within this set of notes). The soil analysis report and recommendation and verification that the recommendations have been implemented shall also be submitted, if not included with the Landscape Documentation Package.

BRAD COLE

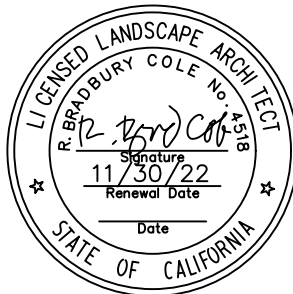
Landscape Architect  
CA #4518  
371 W San Ramon Ave.  
Fresno, CA 93704  
\*

Ph. (559) 284-4934  
bradc559@gmail.com

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Revision	Notes	Date	CKBY																	



Know what's below.  
Call before you dig.

NOTES

Date: 02-28-2022  
Scale: as noted  
Drawn By: B. Cole  
Job Number: N/A

Sheet:

L3



# The Sienna 1777 Standard Plan



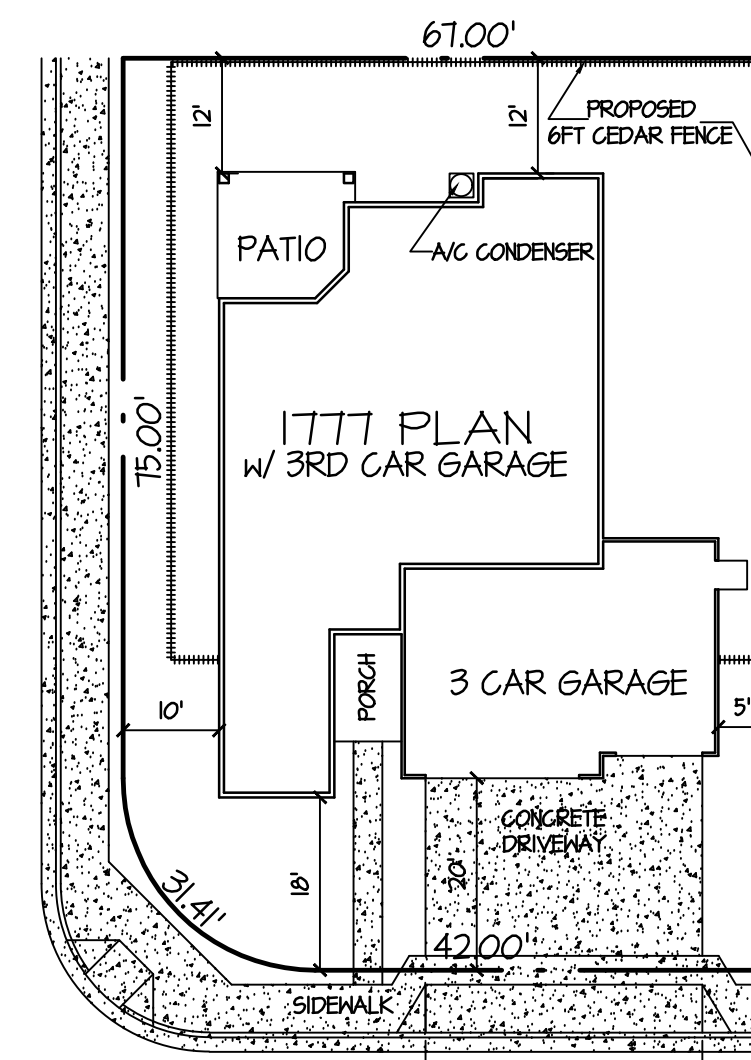
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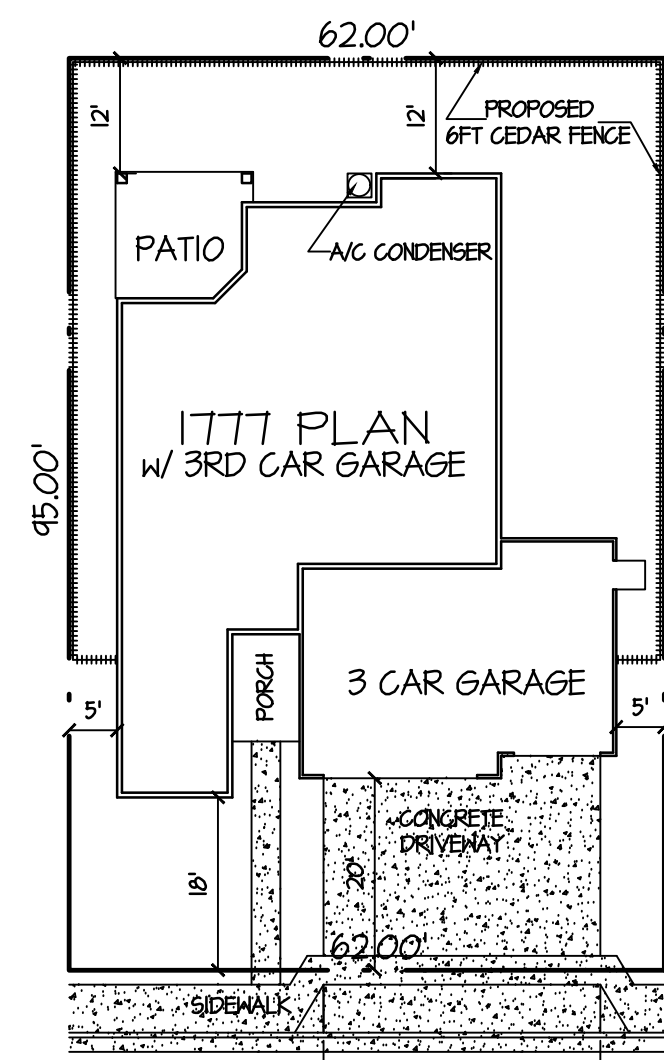
Standard Elevation 'B'



Standard Elevation 'C'



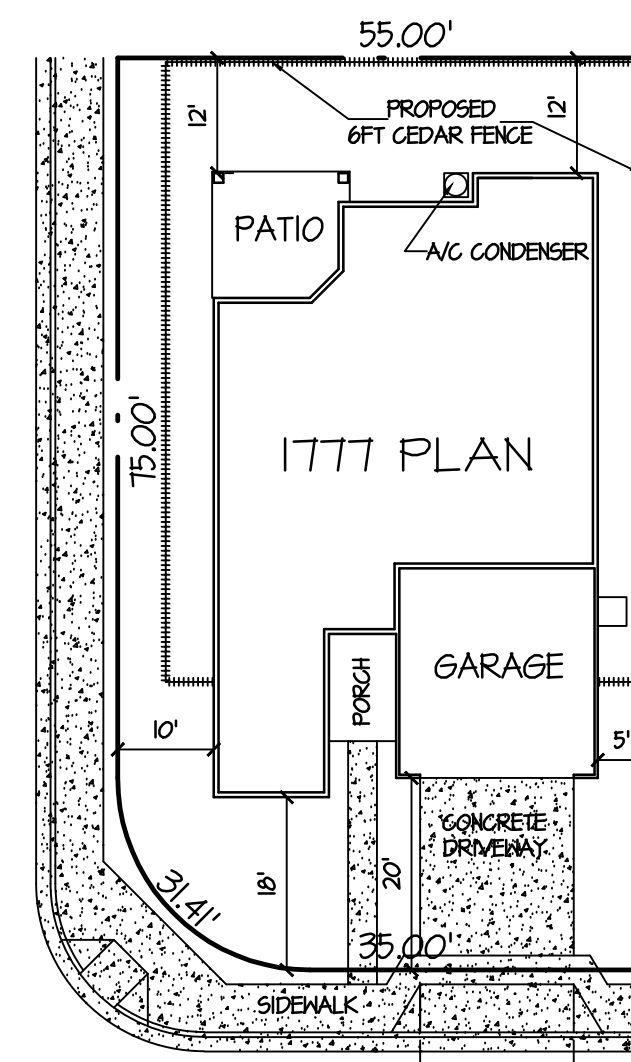
TYPICAL CORNER LOT  
PLOT PLAN  
3RD CAR GAR. OPT.  
SCALE: 1" = 20'-0"



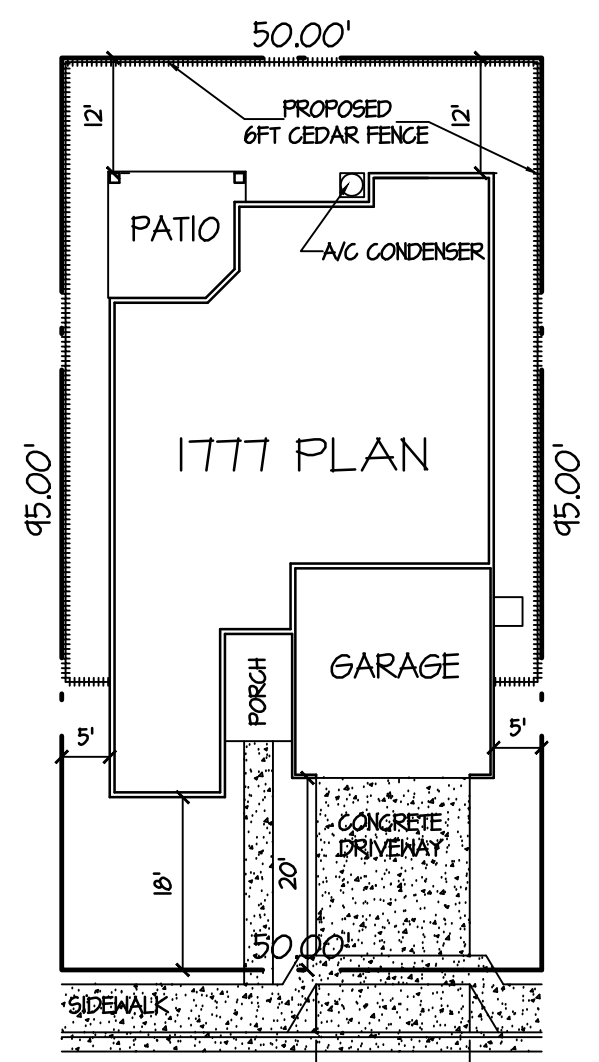
TYPICAL INTERIOR LOT  
PLOT PLAN  
3RD CAR GAR. OPT.  
SCALE: 1" = 20'-0"

## Area:

3RD CAR GARAGE OPTION	
LIVING SPACE:	1,771 sq. ft.
GARAGE:	456 sq. ft.
3RD CAR GARAGE:	272 sq. ft.
PATIO:	168 sq. ft.
PORCH:	71 sq. ft.
TOTAL LIVING:	1,771 sq. ft.
TOTAL:	2,750 sq. ft.



TYPICAL CORNER LOT  
PLOT PLAN  
SCALE: 1" = 20'-0"



TYPICAL INTERIOR LOT  
PLOT PLAN  
SCALE: 1" = 20'-0"

## Area:

LIVING SPACE:	1,771 sq. ft.
GARAGE:	456 sq. ft.
PATIO:	168 sq. ft.
PORCH:	71 sq. ft.
TOTAL LIVING:	1,771 sq. ft.
TOTAL:	2,476 sq. ft.



Upgraded Elevation 'A'

W/ OPTIONAL 3RD CAR GARAGE & 10FT PLATE



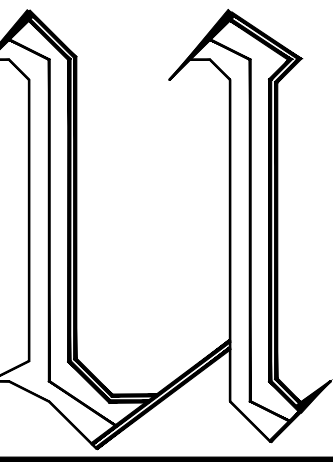
Upgraded Elevation 'B'

W/ OPTIONAL 3RD CAR GARAGE, STONE VENEER, & 10FT PLATE

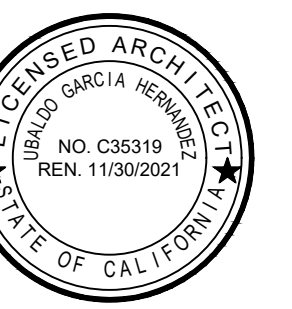


Upgraded Elevation 'C'

W/ OPTIONAL 3RD CAR GARAGE, STONE VENEER, & 10FT PLATE



**Villa Di Ubaldo**  
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**Dreywood**

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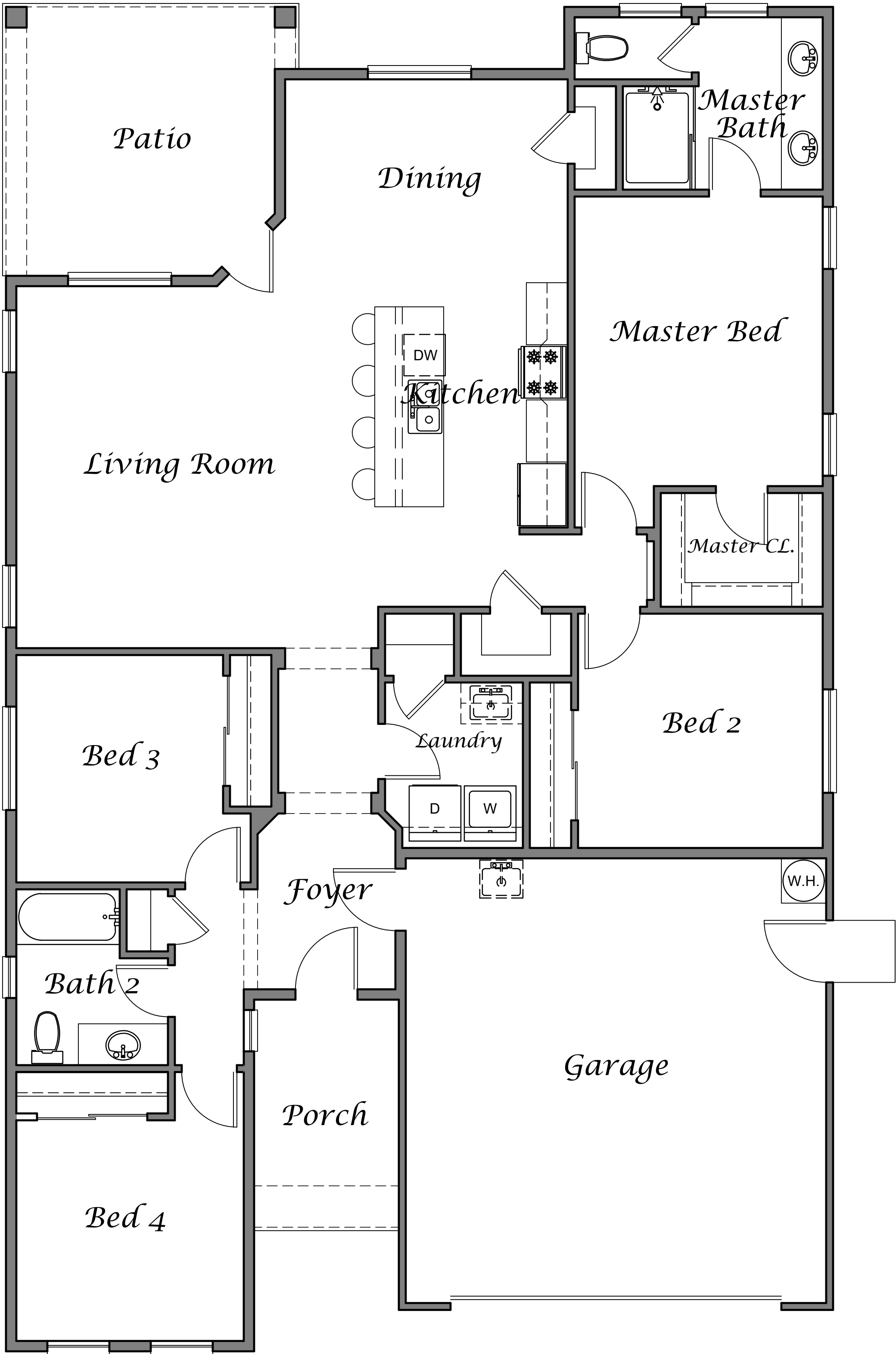
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11/21/2021  
SCALE  
PER PLAN  
JOB NO.  
1777 PLAN MADERA  
SHEET

**C1**

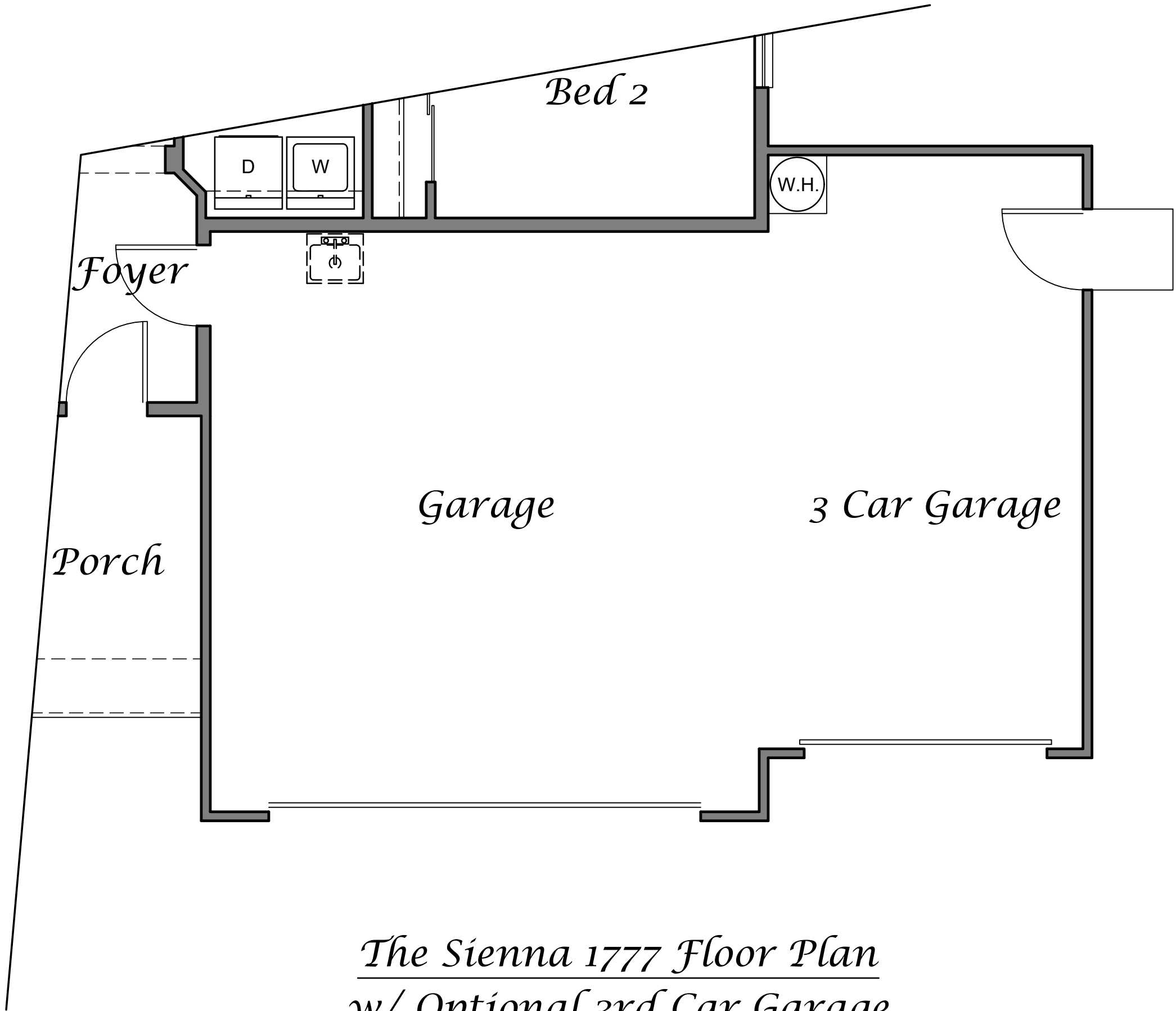
The Sienna 1777 Standard Plan Cover Sheet



# The Sienna 1777 Standard Plan



The Sienna 1777 Floor Plan



The Sienna 1777 Floor Plan  
w/ Optional 3rd Car Garage

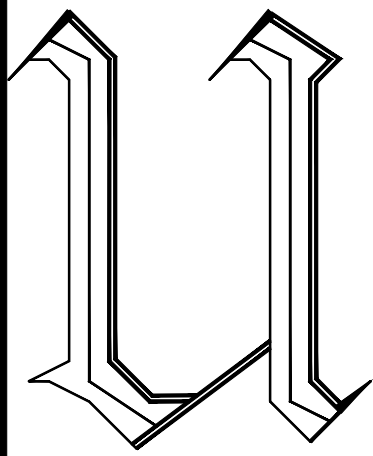
Area:

LIVING SPACE:	1,777 sq. ft.
GARAGE:	456 sq. ft.
PATIO:	168 sq. ft.
PORCH:	77 sq. ft.
TOTAL LIVING:	1,777 sq. ft.
TOTAL:	2,478 sq. ft.

Area:

3RD CAR GARAGE OPTION	
LIVING SPACE:	1,777 sq. ft.
GARAGE:	456 sq. ft.
3RD CAR GARAGE:	272 sq. ft.
PATIO:	168 sq. ft.
PORCH:	77 sq. ft.
TOTAL LIVING:	1,777 sq. ft.
TOTAL:	2,750 sq. ft.

## The Sienna 1777 Plan Floor Plan



*Villa Di Ubaldo*  
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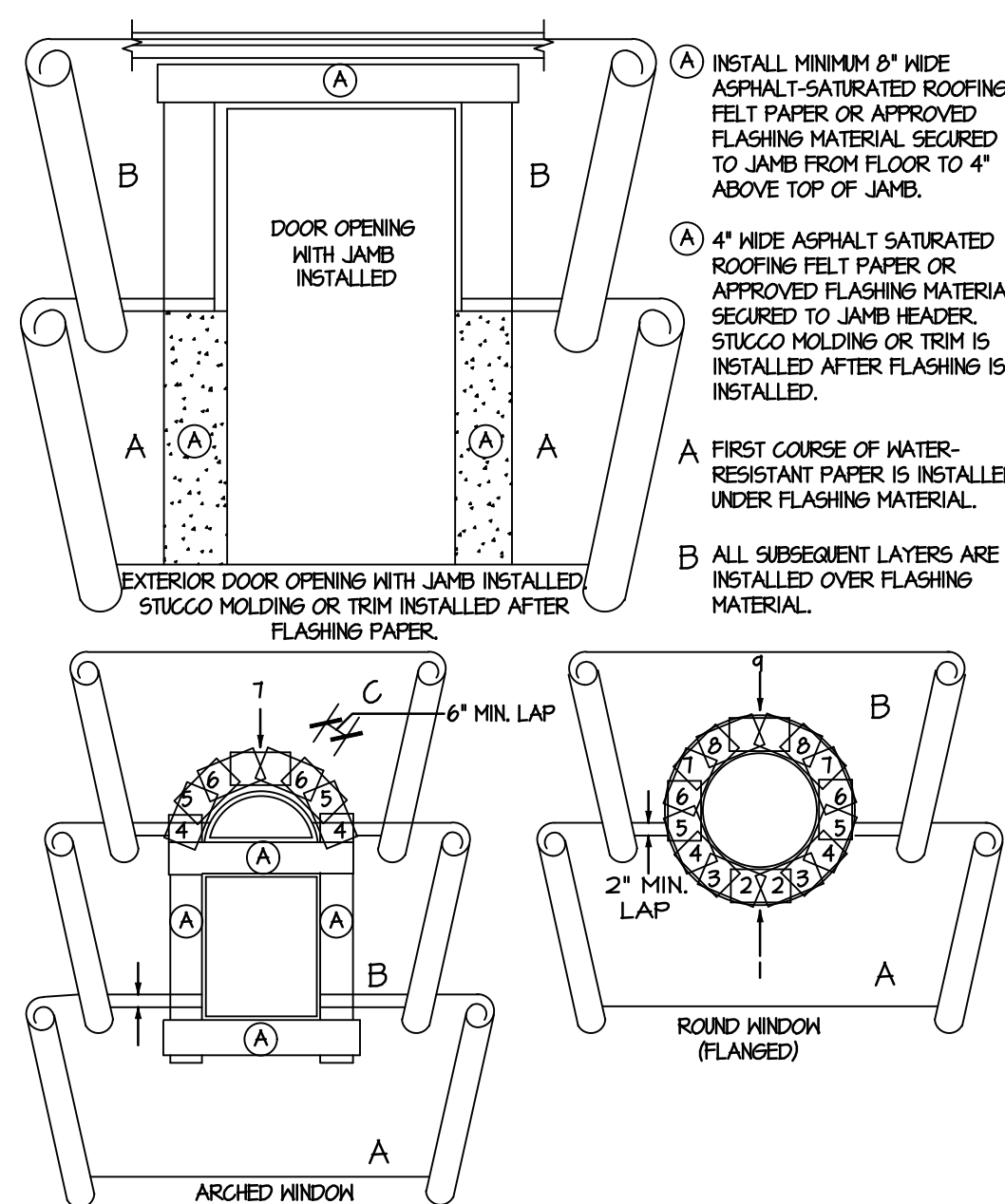
*Dreywood*

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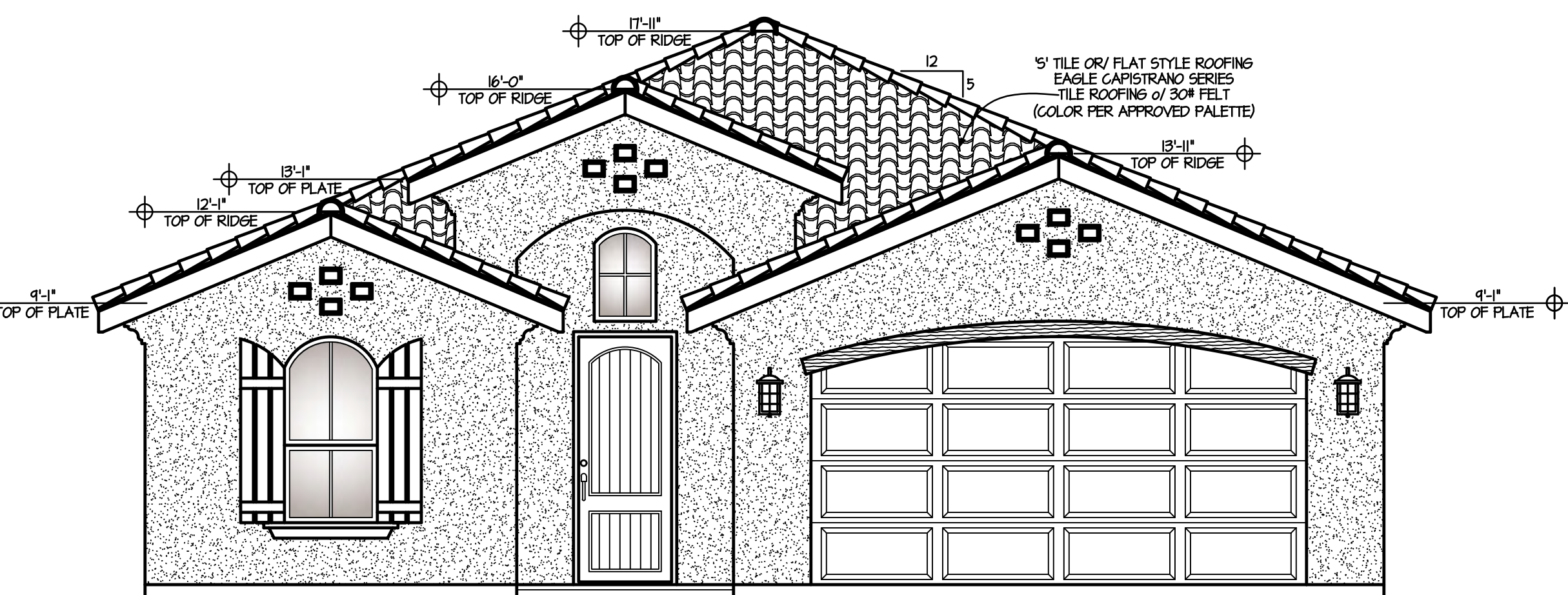
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11/21/2021  
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JOB NO.  
1777 PLAN MADERA  
SHEET

A1



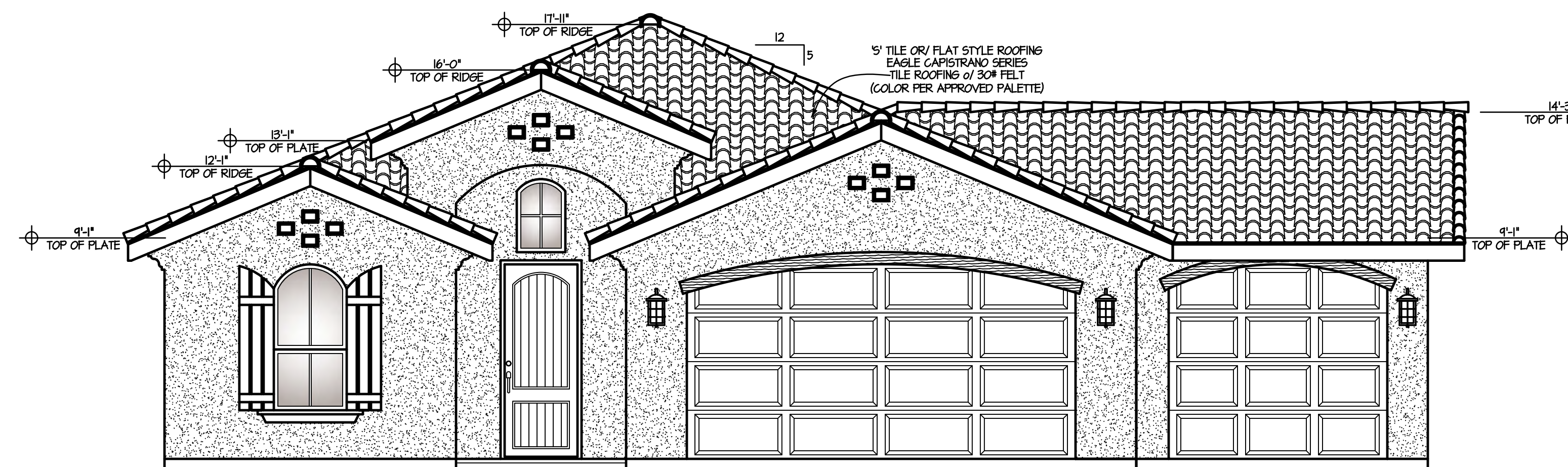


Door & Window Flashing Detail



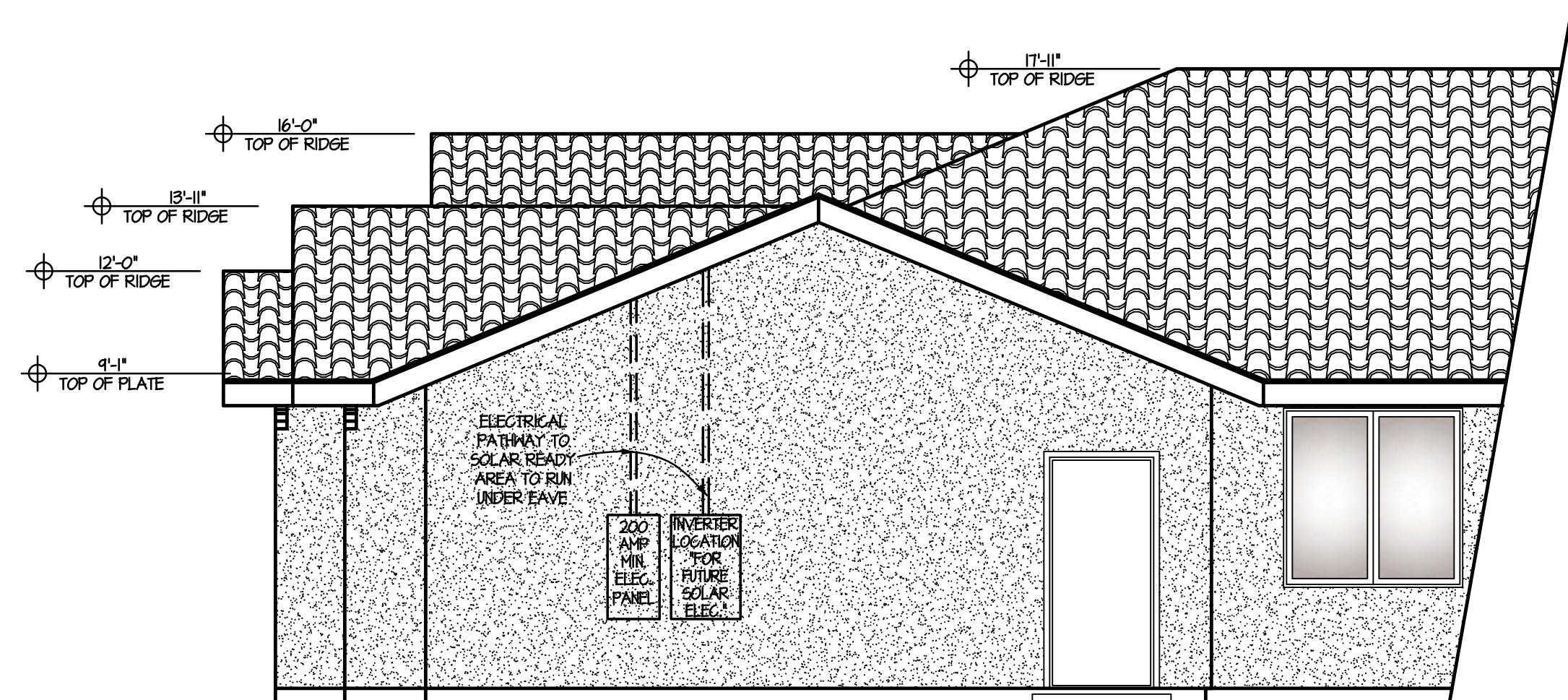
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



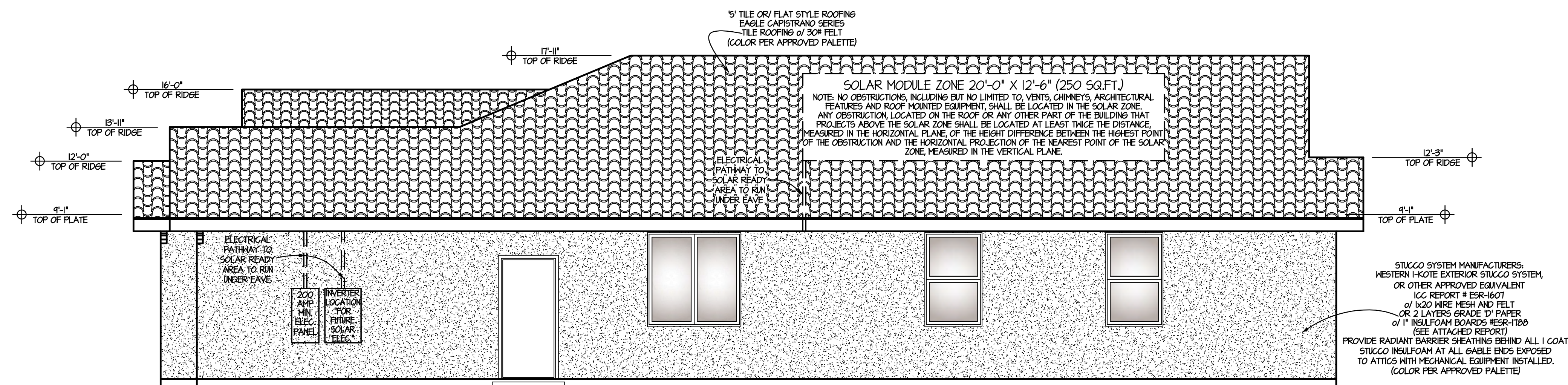
FRONT ELEVATION  
w/ 3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



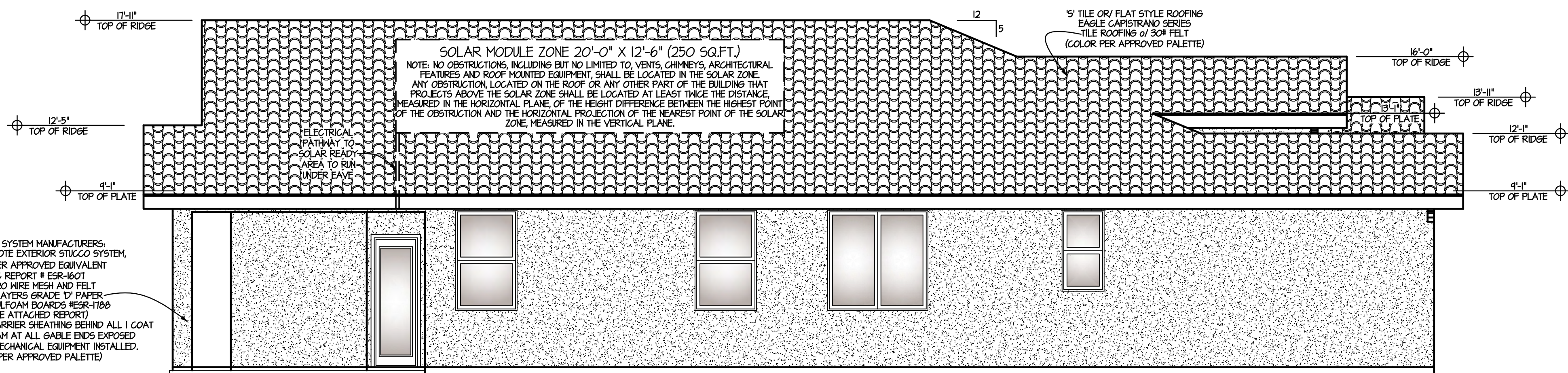
RIGHT SIDE ELEVATION 'A'  
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"



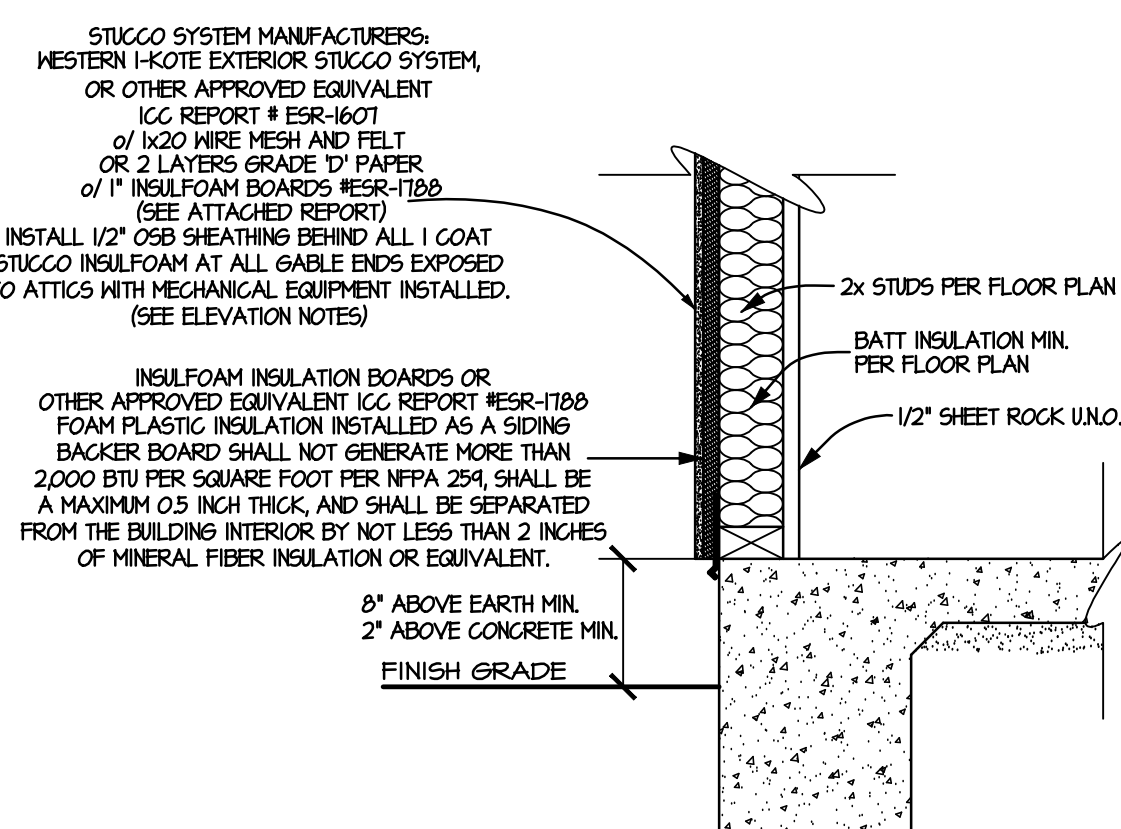
RIGHT SIDE ELEVATION

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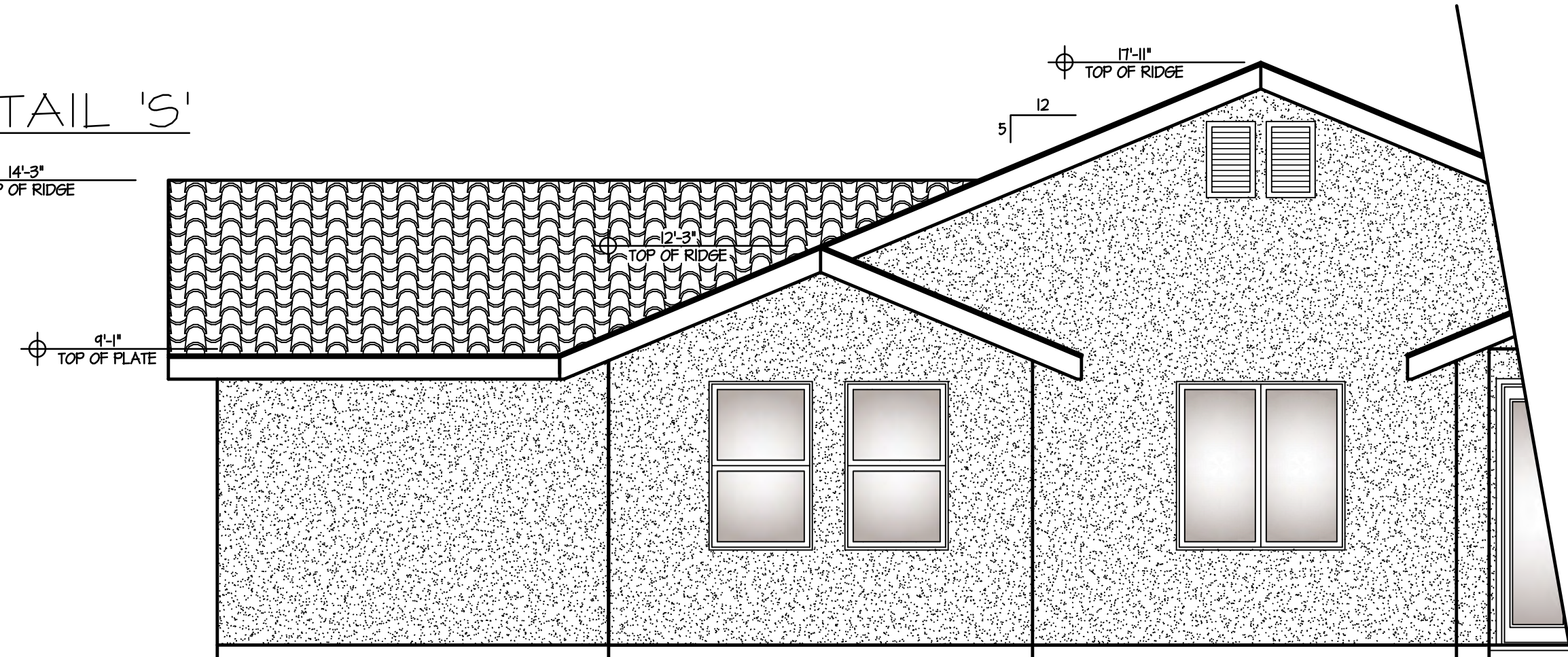


LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

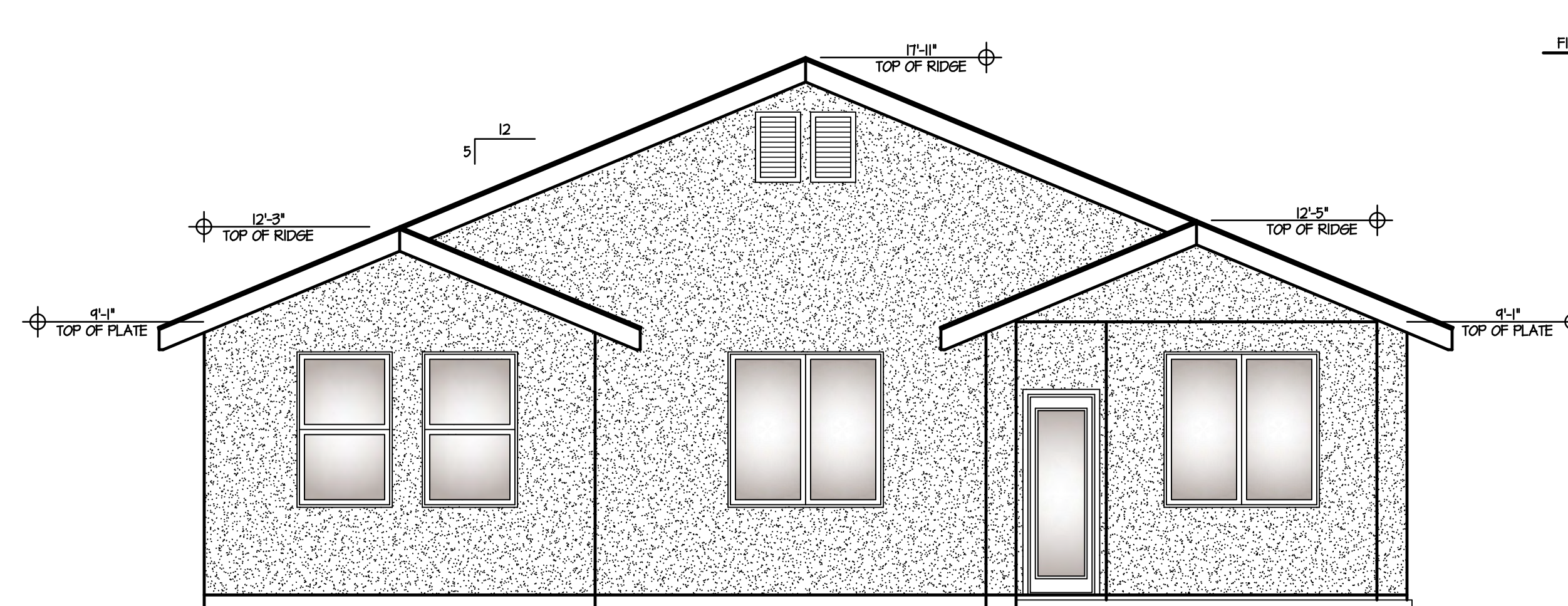


ONE COAT STUCCO DETAIL 'S'



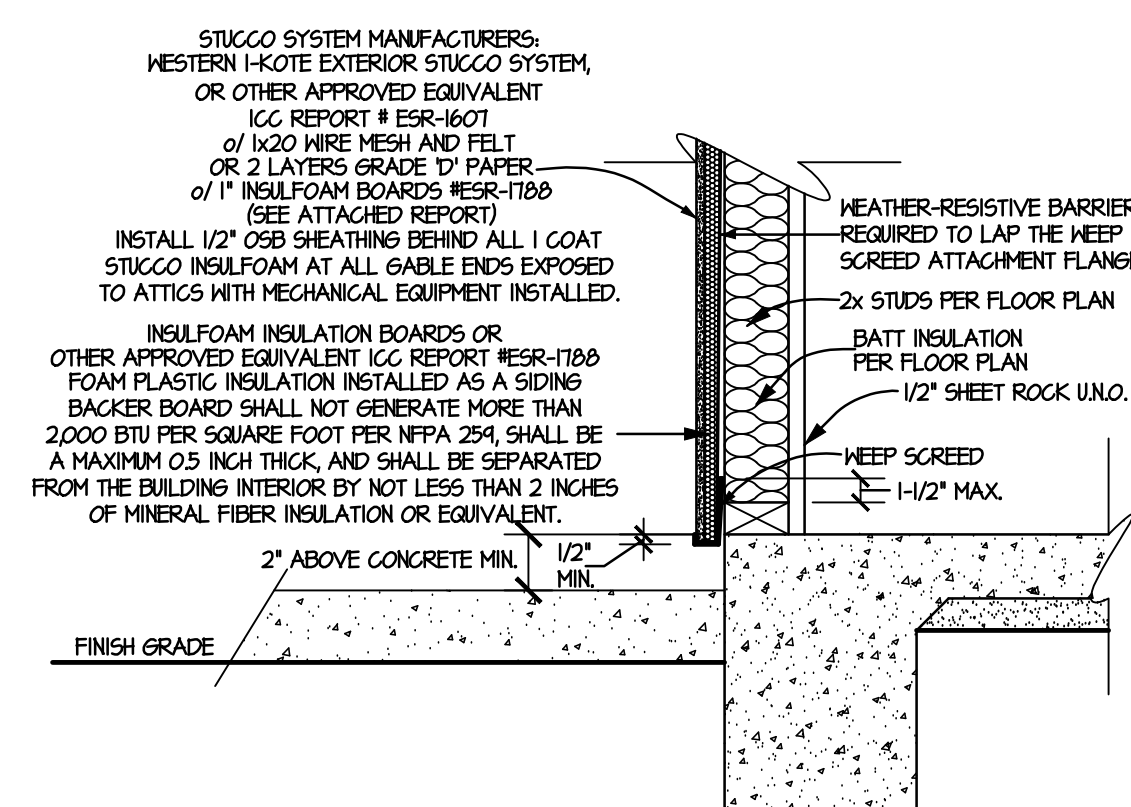
REAR ELEVATION  
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"

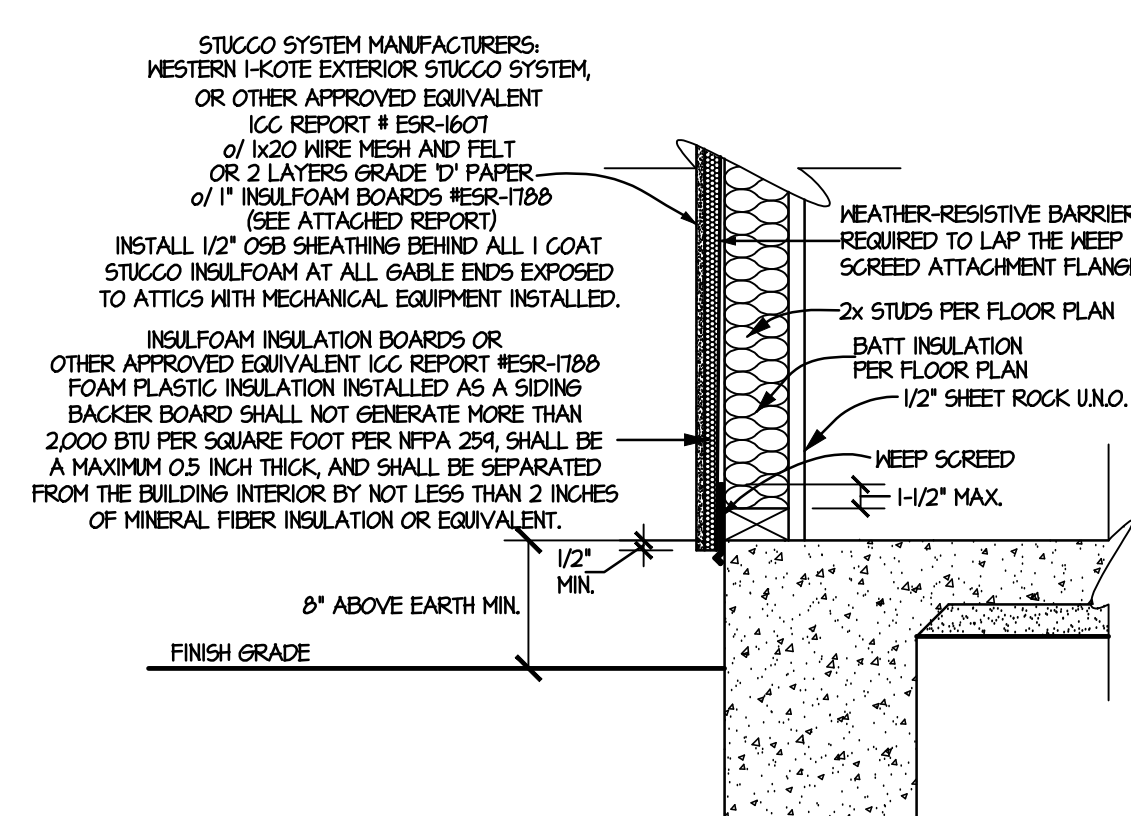


REAR ELEVATION

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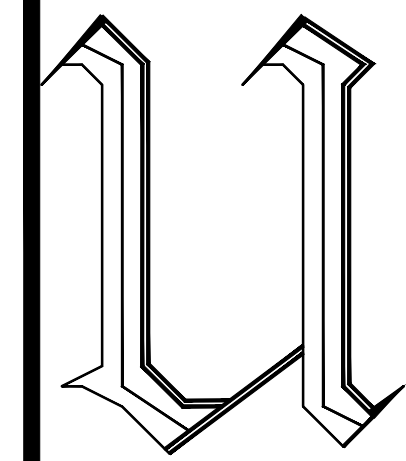


Weep Scream Detail 'A'



Weep Scream Detail 'B'

# The Sienna 1777 Plan Exterior Elevations 'A' w/ gft Standard Plate



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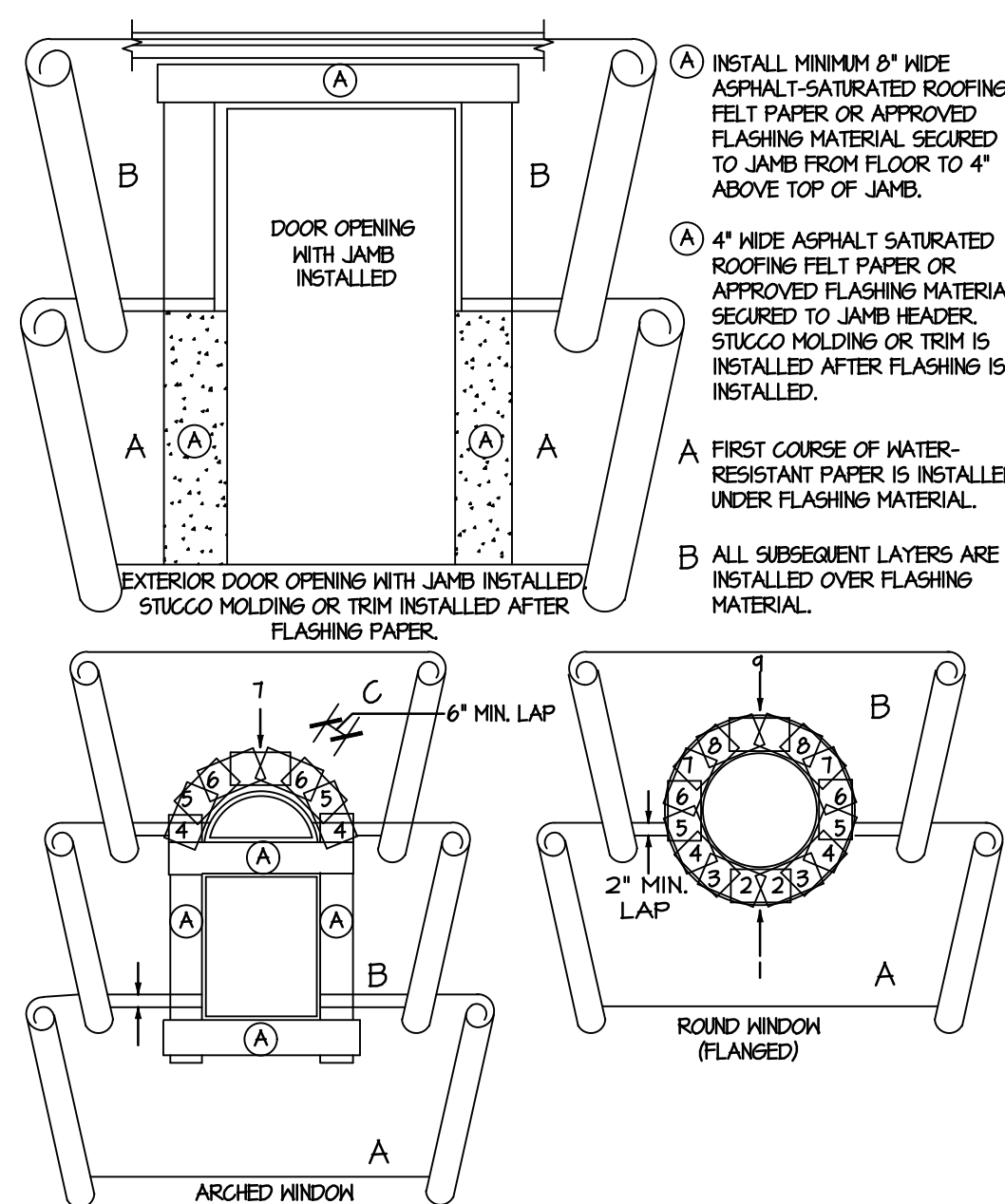
**Dreywood**

**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
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Fresno, CA 93727  
Phone: (559) 275-5200  
Email: jcrowncrownliving.com

DATE: 11/21/2021  
SCALE: 1/4" = 1'-0"  
JOB NO.: 1777 PLAN MADERA  
SHEET

**A2**



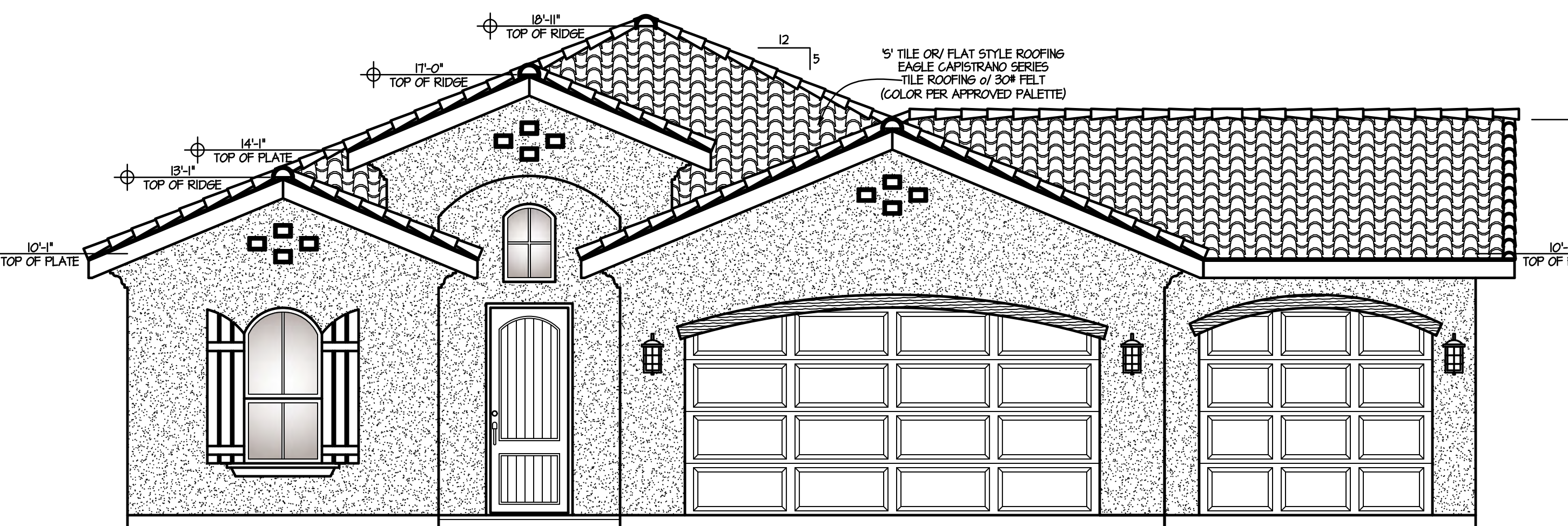


Door & Window Flashing Detail



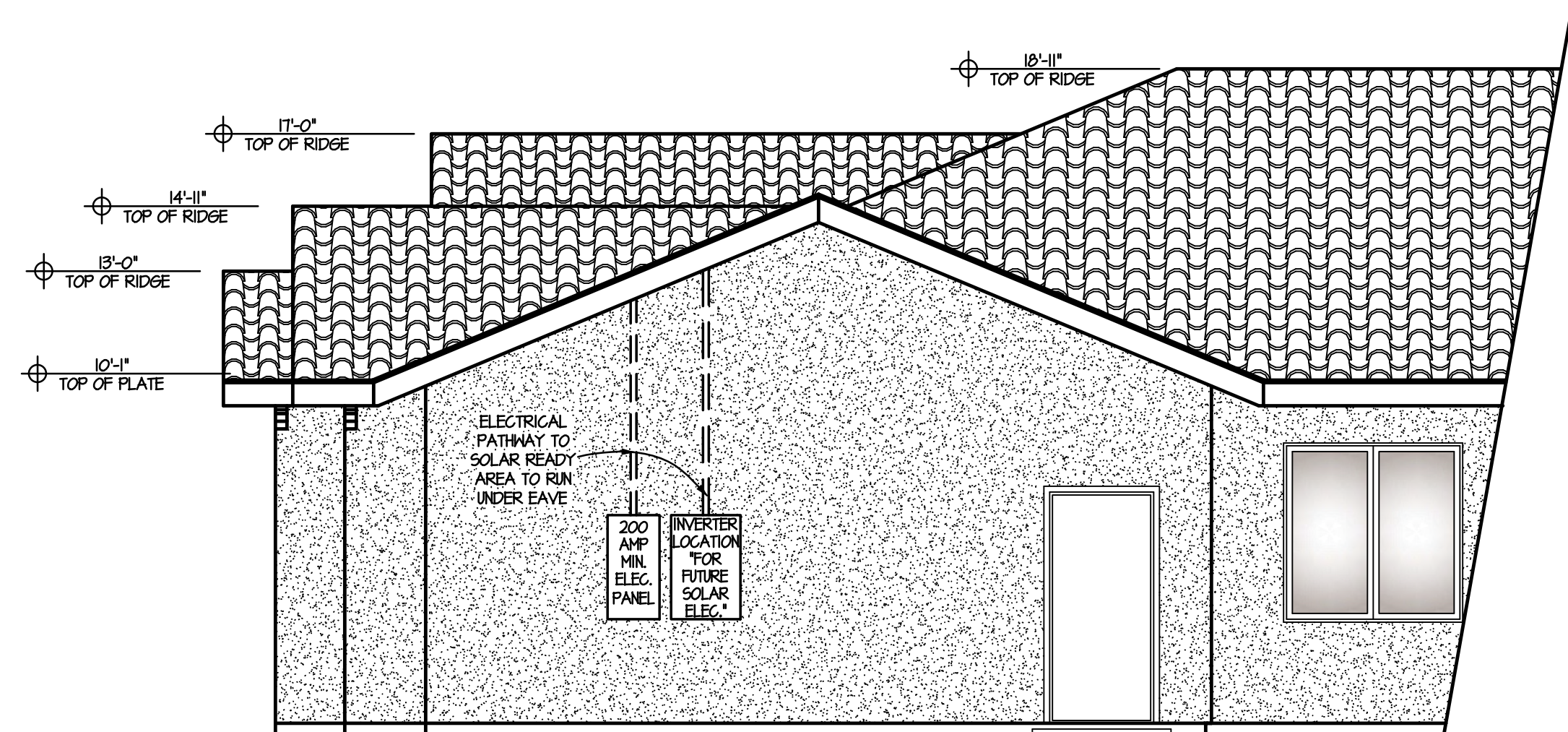
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



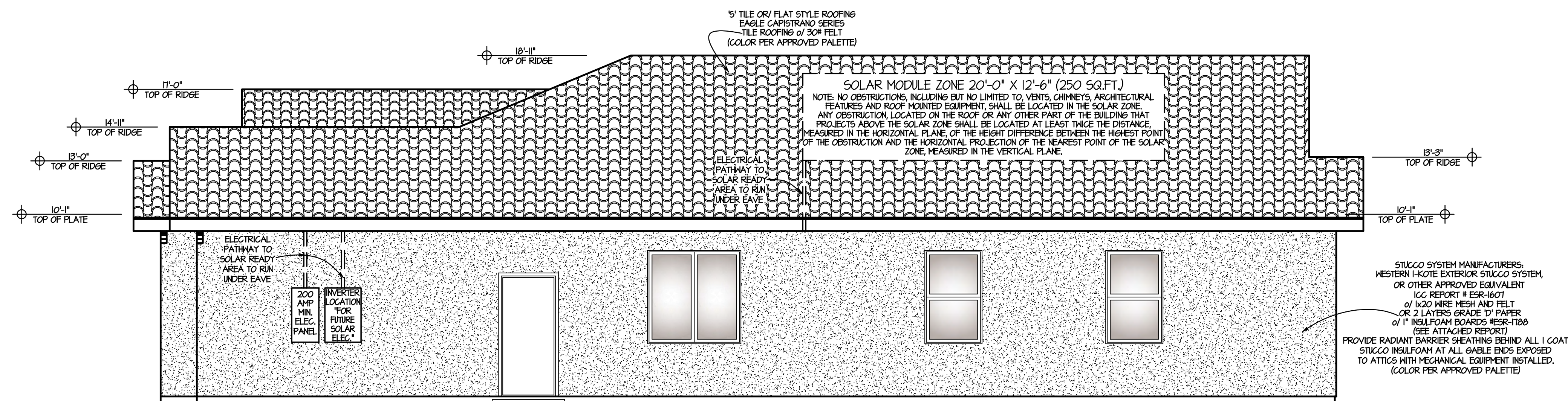
FRONT ELEVATION  
w/ 3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



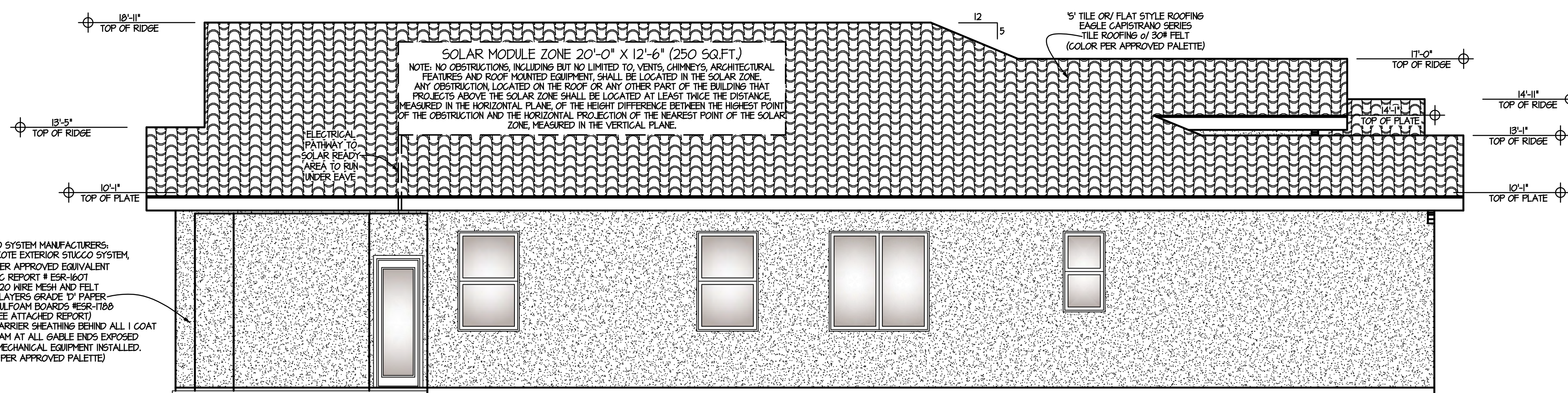
RIGHT SIDE ELEVATION 'A'  
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"



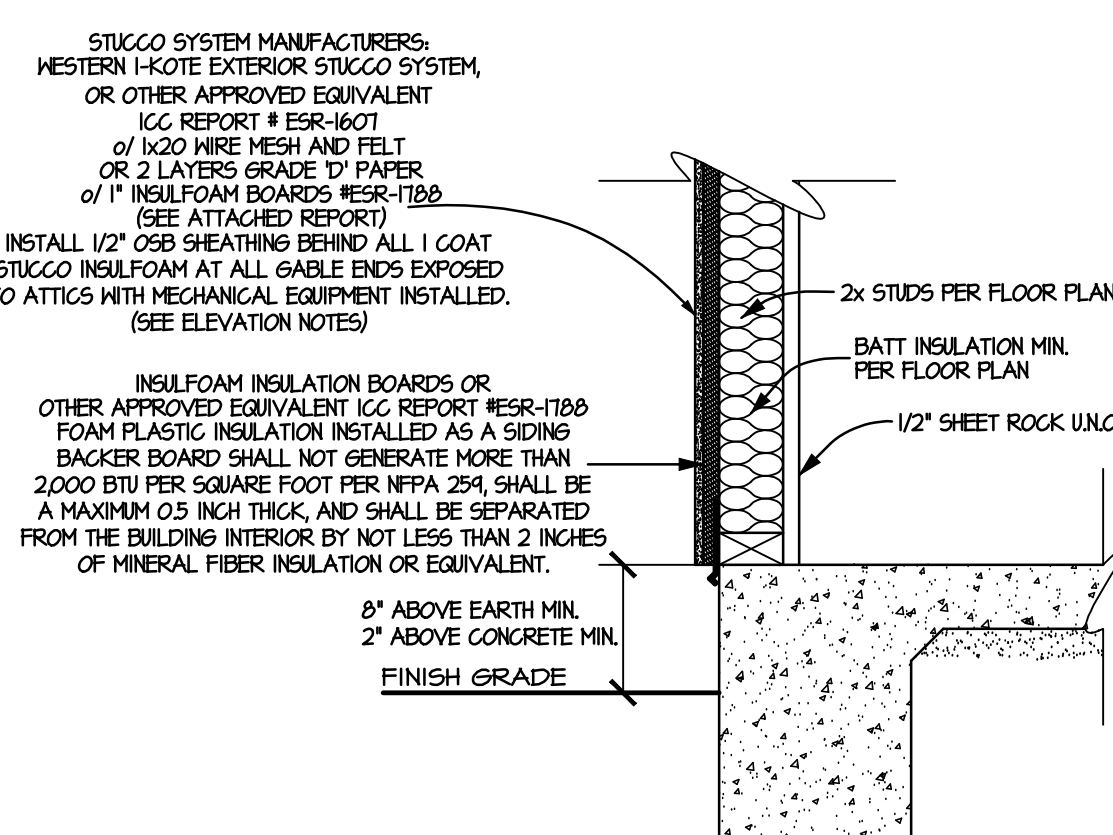
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

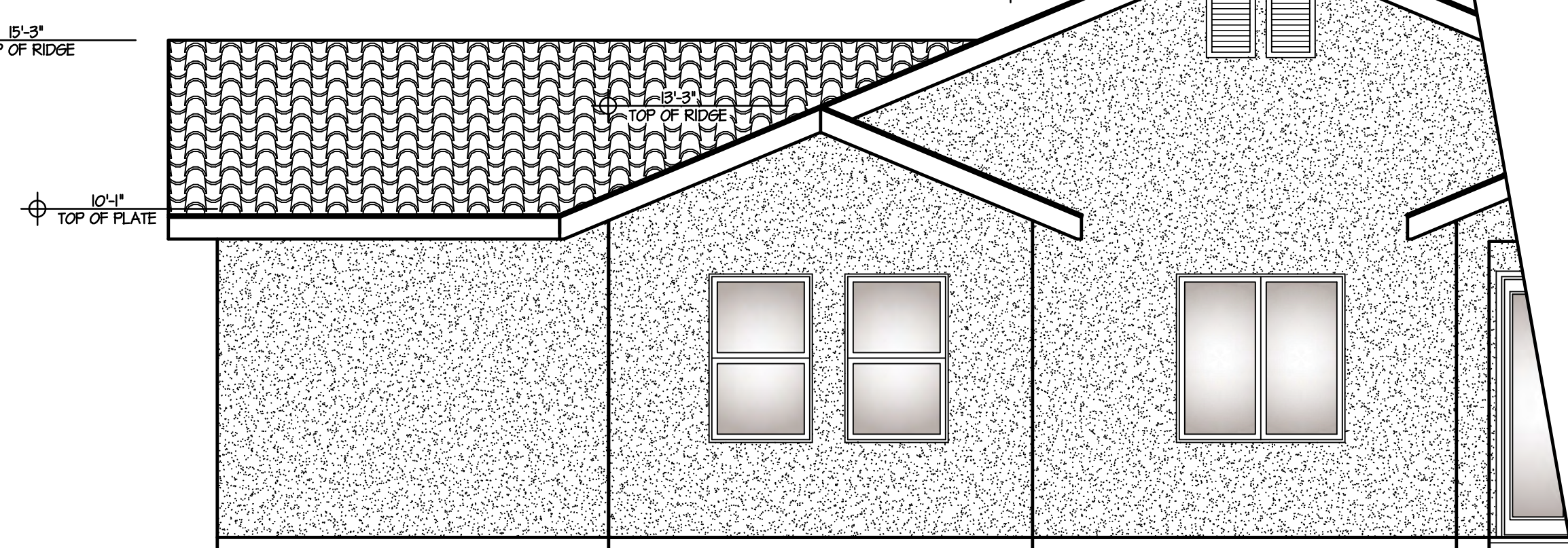


LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

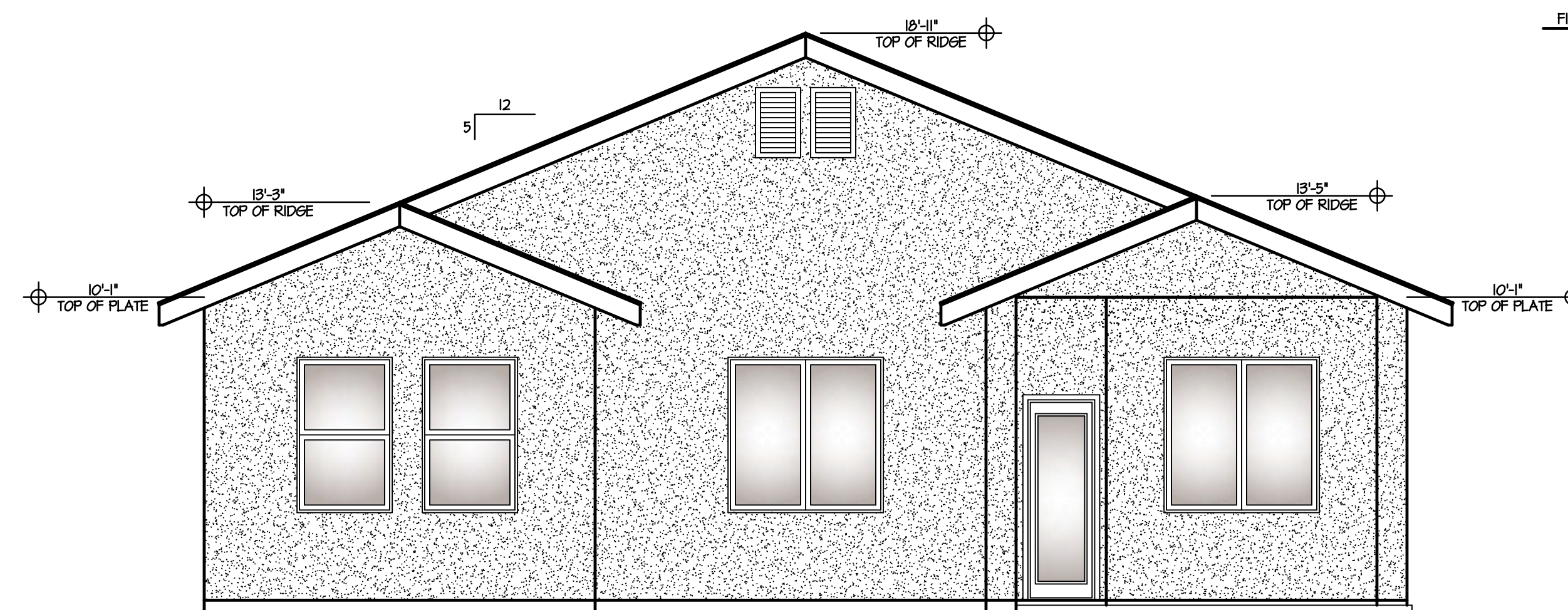


ONE COAT STUCCO DETAIL 'S'



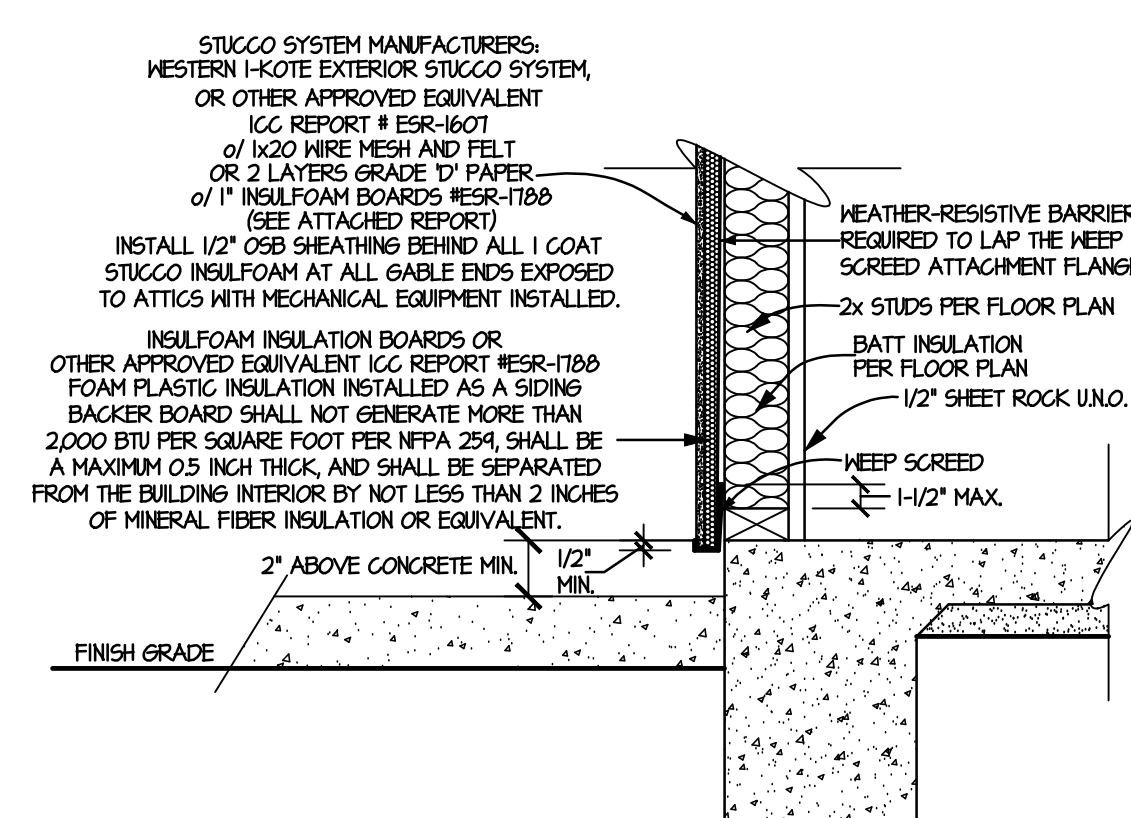
REAR ELEVATION  
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"

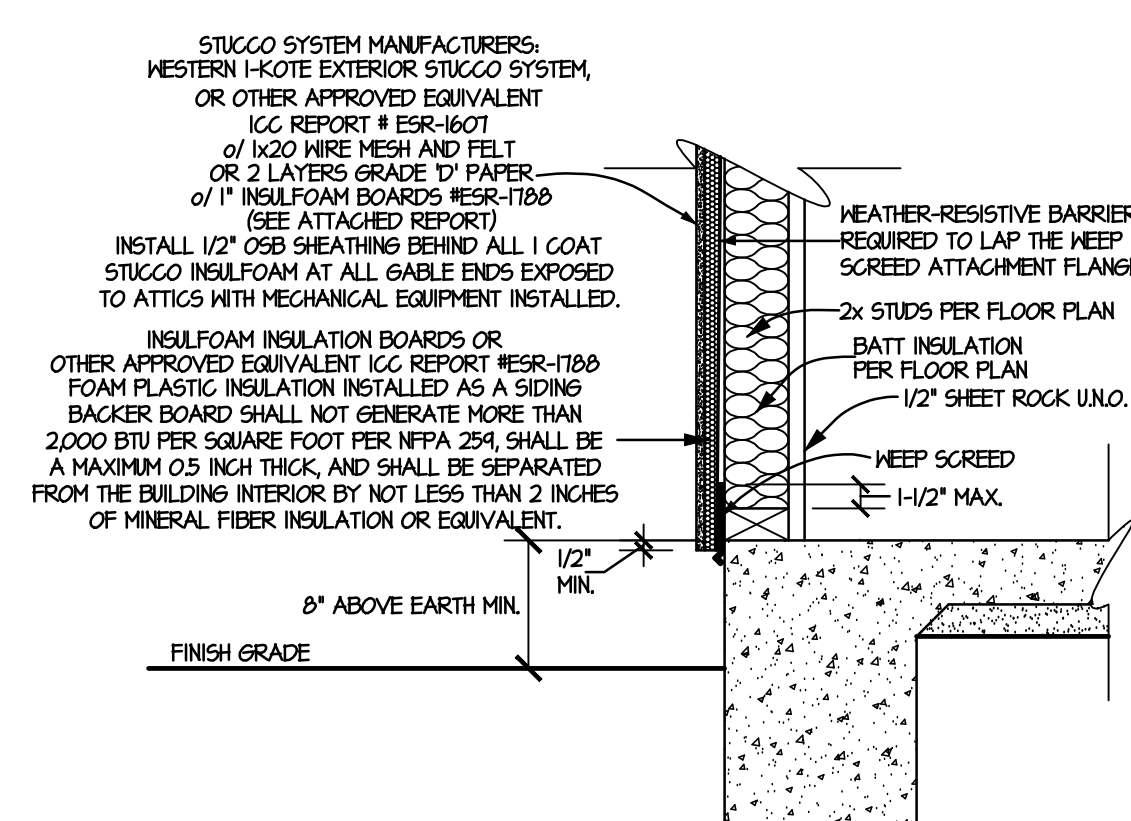


REAR ELEVATION

SCALE: 1/4" = 1'-0"



Weep Scream Detail 'A'



Weep Scream Detail 'B'

# The Sienna 1777 Plan Exterior Elevations 'A' w/ Optional 10ft Plate

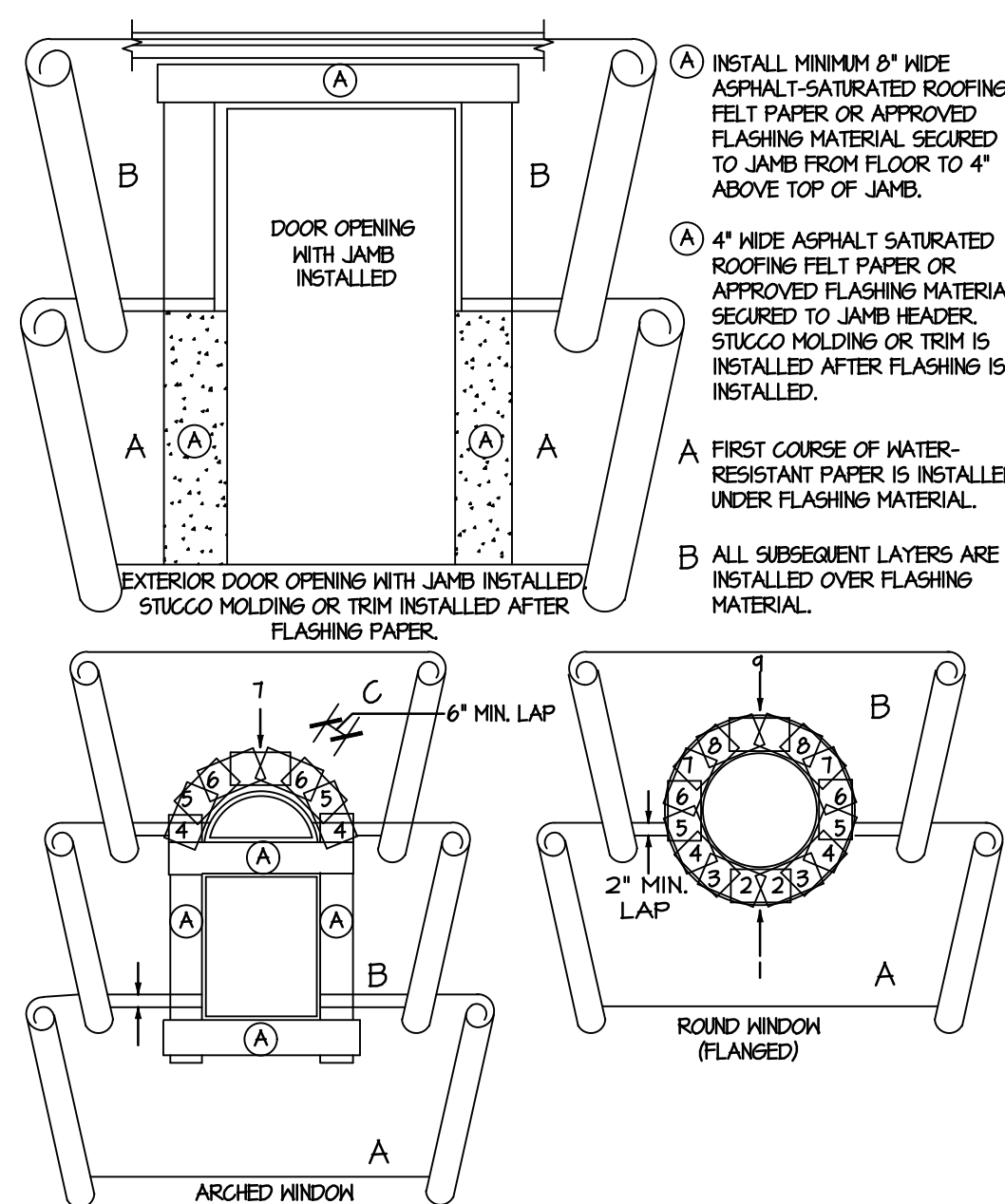
**Ubaldo Di Ubaldo**  
Architecture, Engineering & Development  
Ubaldo Garcia Hernandez  
Architect Lic. No. C-35319  
PO BOX 925  
MADERA, CA 93639  
Tel. (559) 871-5534  
Email: villadiubaldo@hotmail.com

**Dreywood**

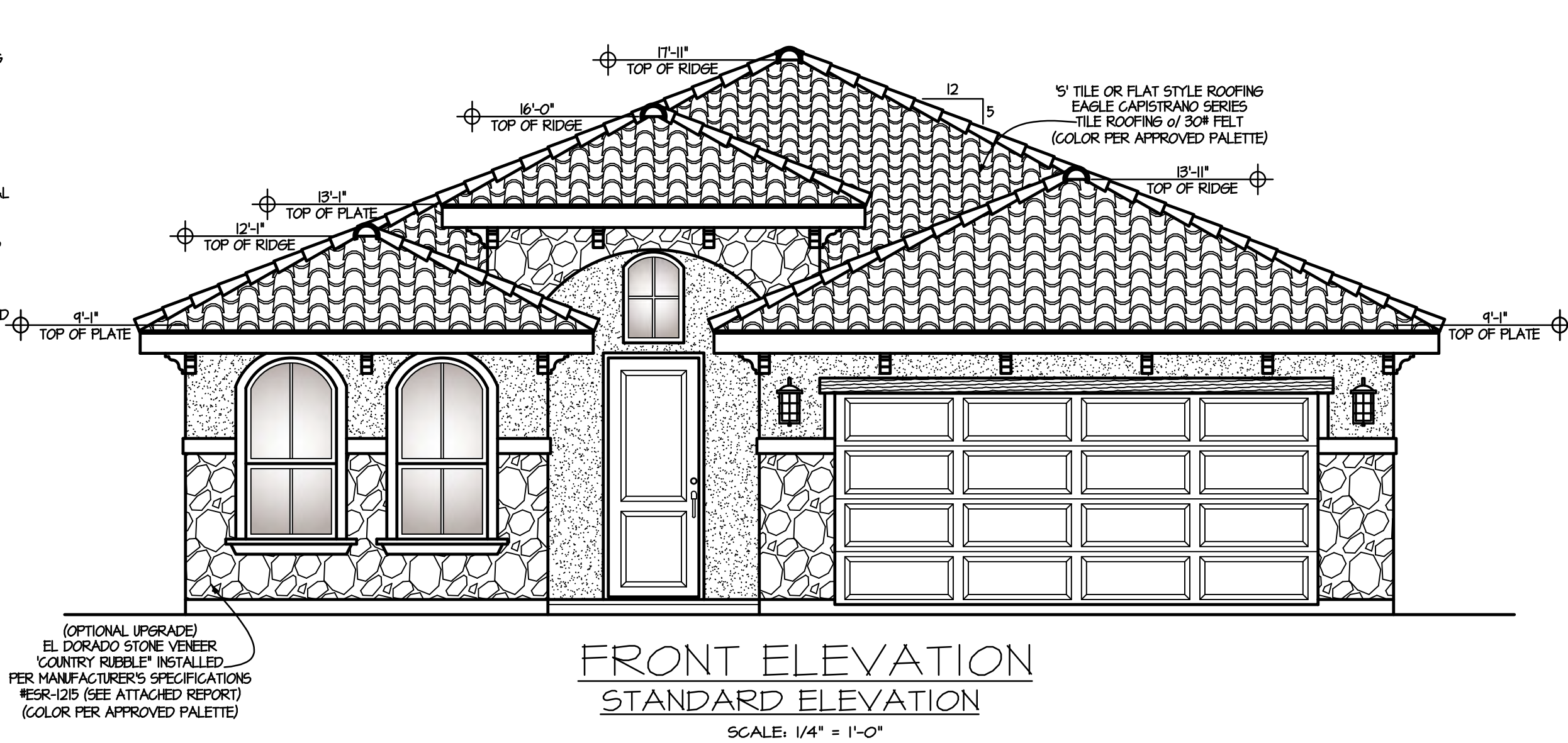
OWNER / BUILDER:  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
Phone: (559) 275-5200  
Email: jcrownd@crowning.com

DATE  
11/21/2021  
SCALE  
1/4" = 1'-0"  
JOB NO.  
1777 PLAN MADERA  
SHEET  
**B2**



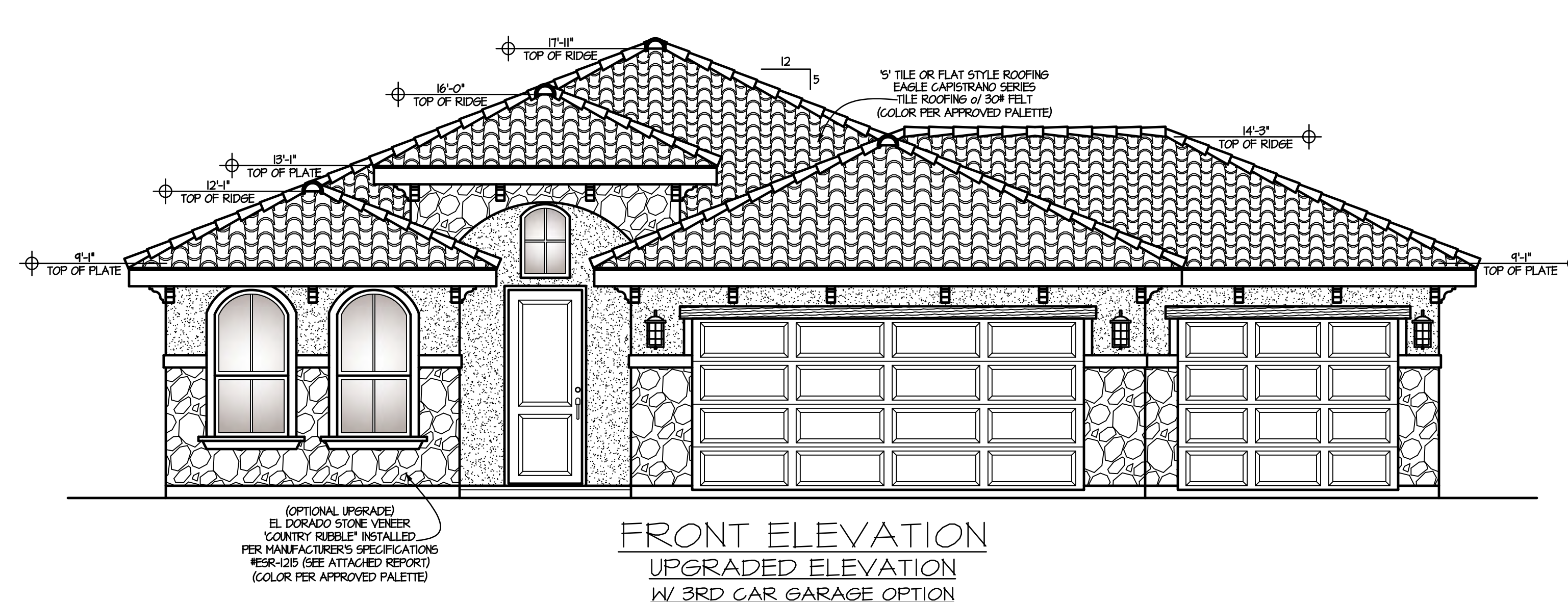


Door & Window Flashing Detail



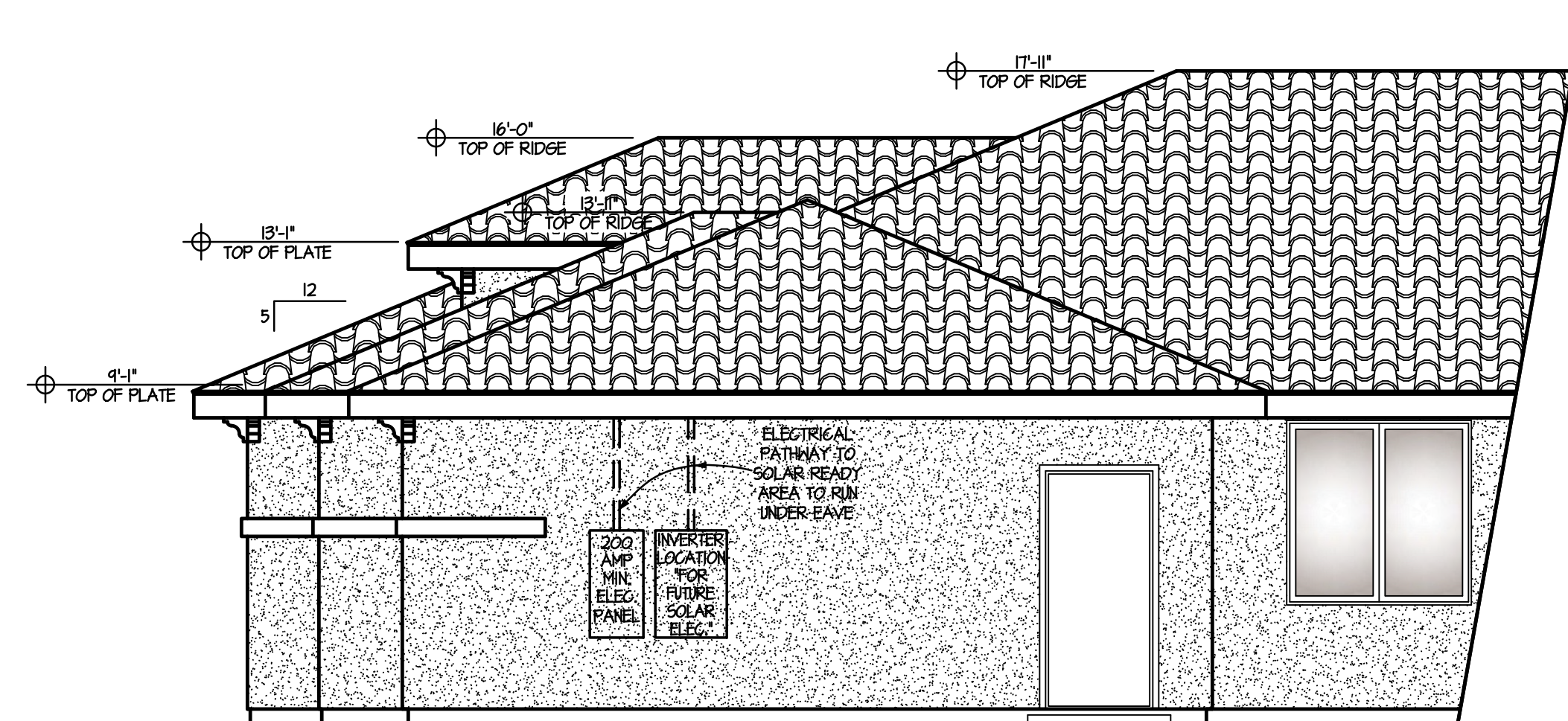
FRONT ELEVATION  
STANDARD ELEVATION

SCALE: 1/4" = 1'-0"



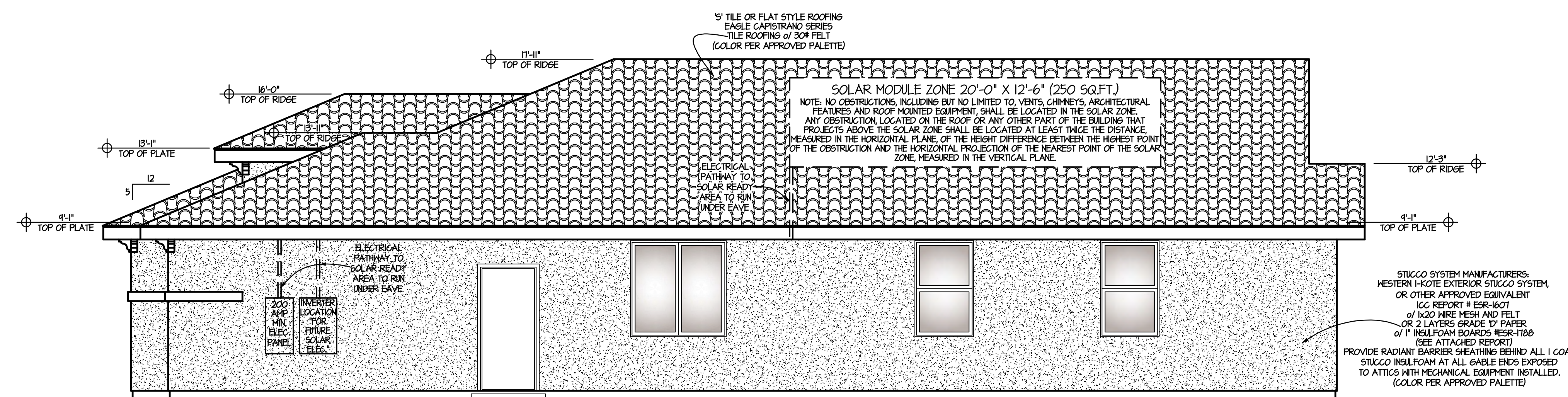
FRONT ELEVATION  
UPGRADED ELEVATION  
W/ 3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



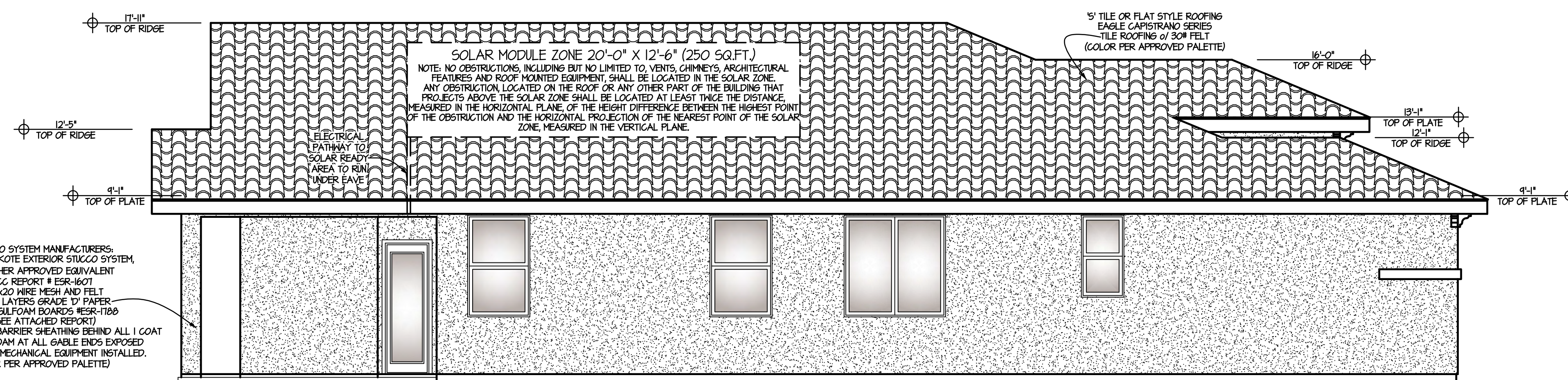
RIGHT SIDE ELEVATION  
W/ 3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"



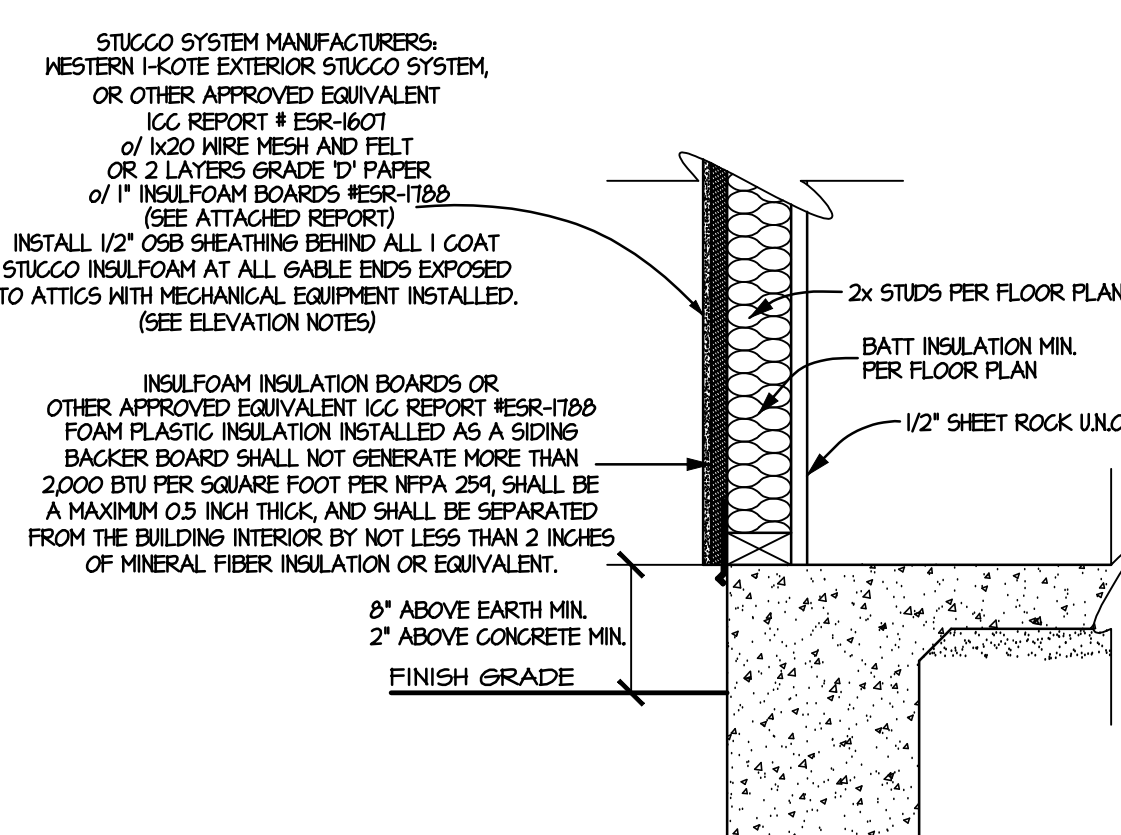
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

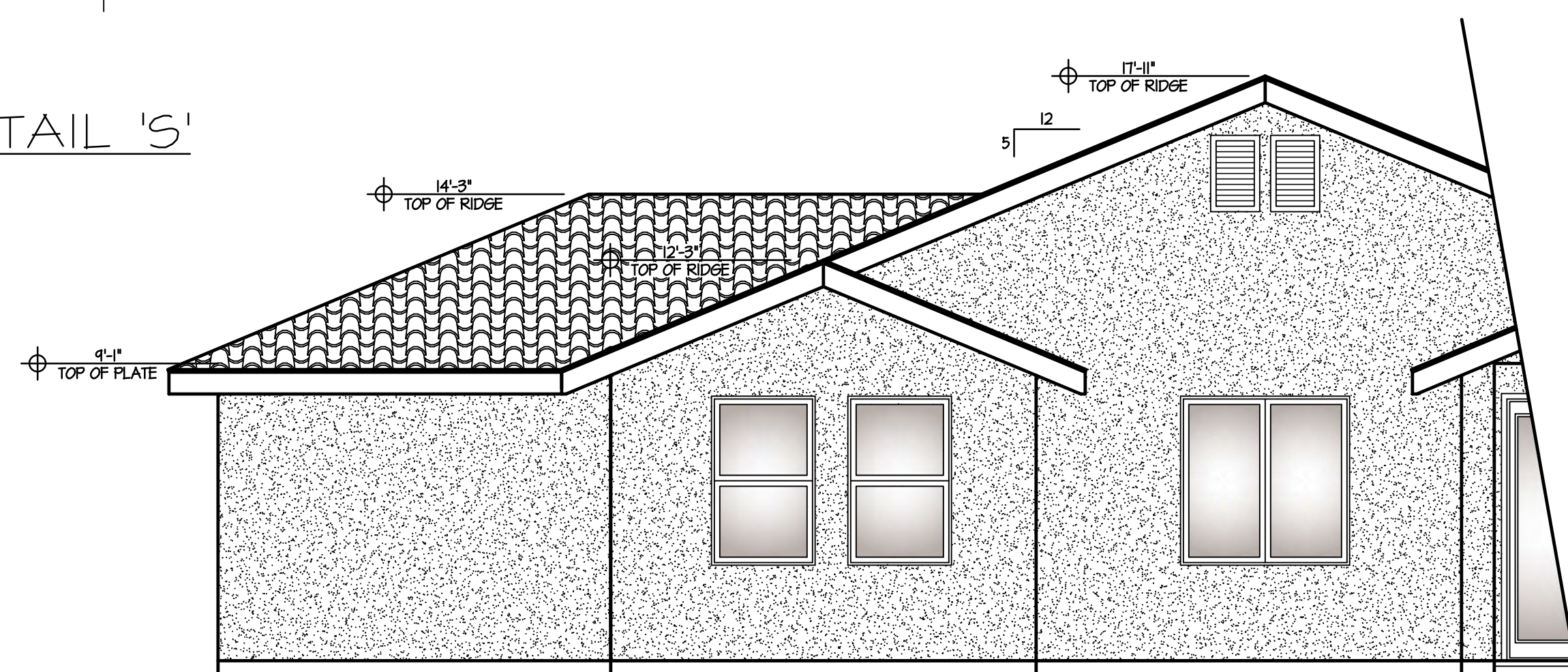


LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

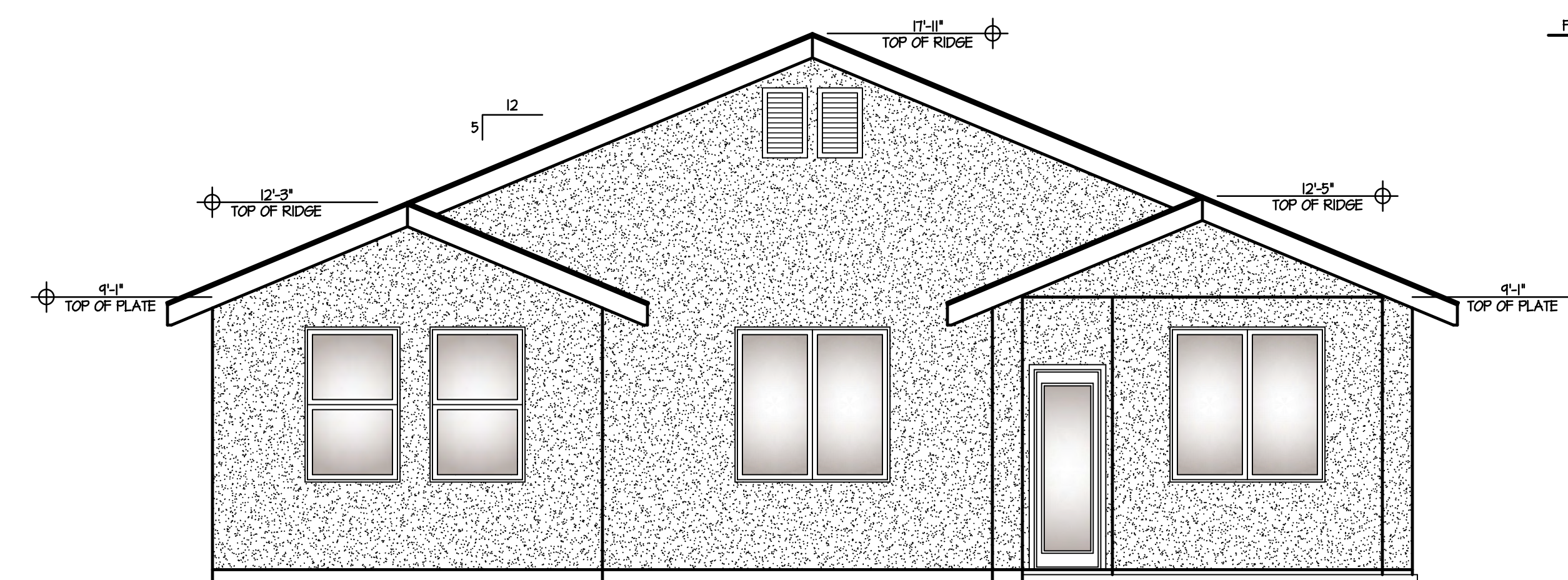


ONE COAT STUCCO DETAIL 'S'



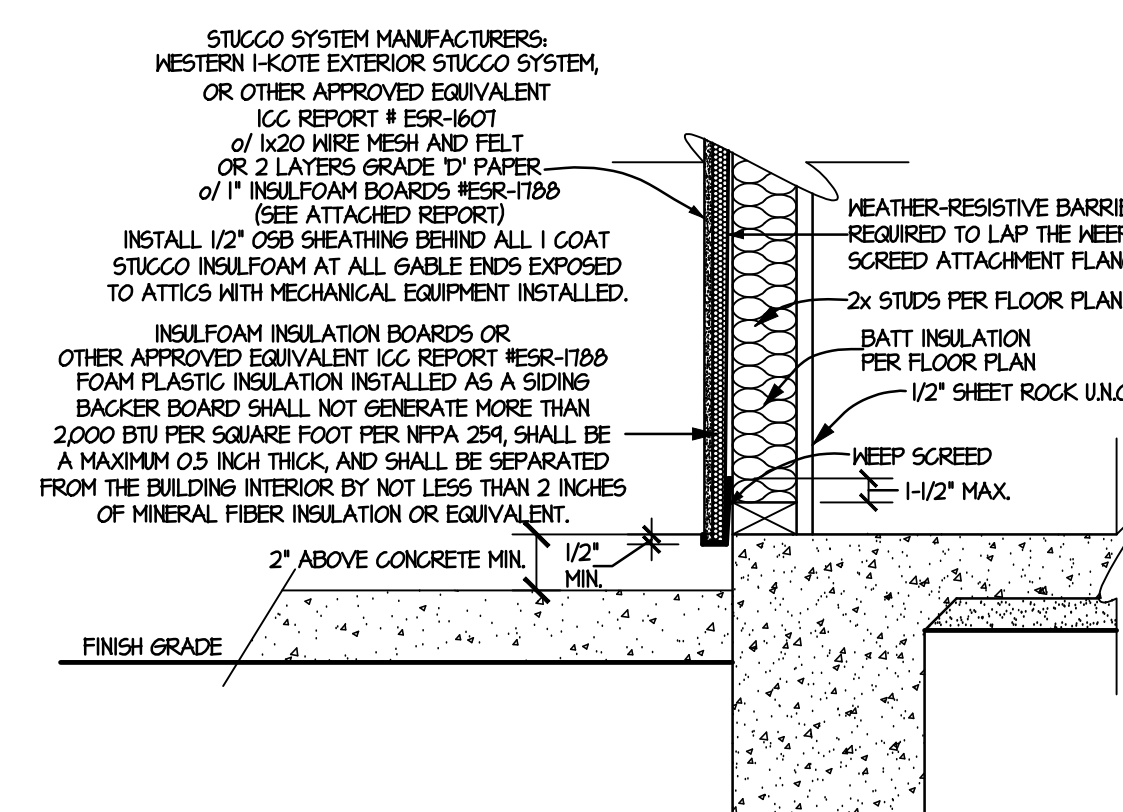
REAR ELEVATION  
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"

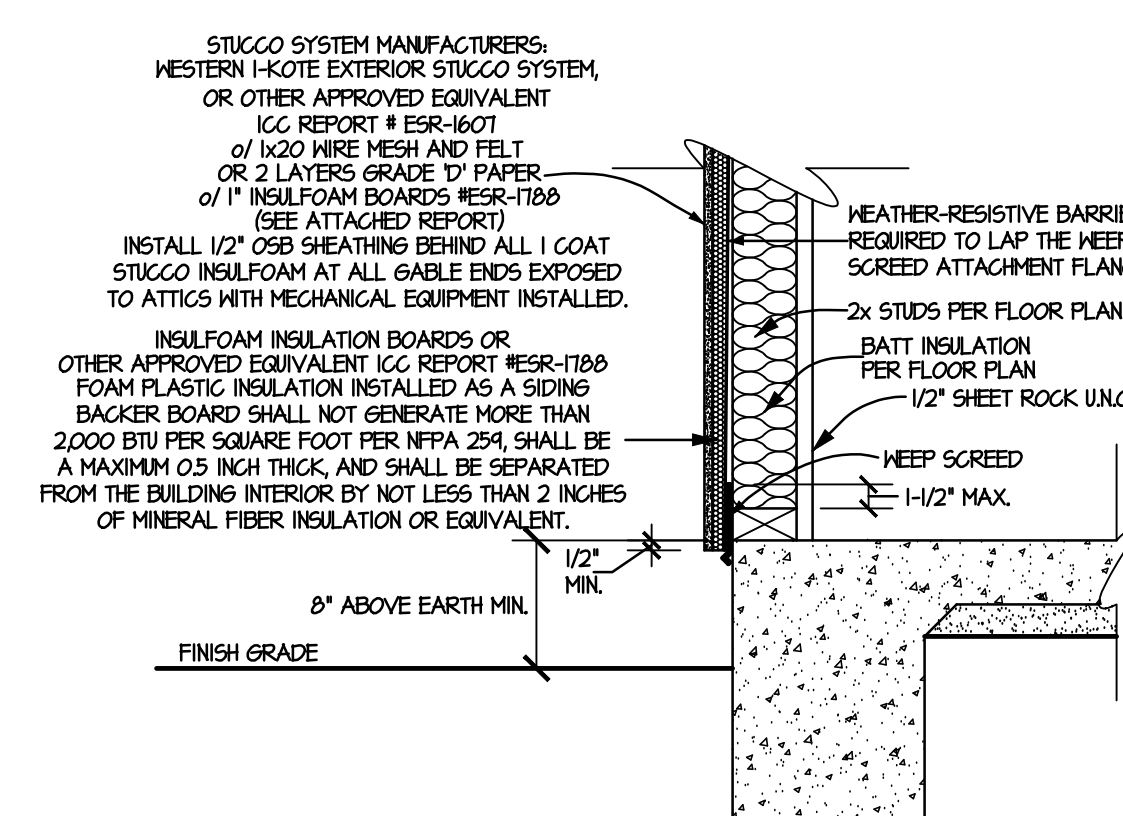


REAR ELEVATION

SCALE: 1/4" = 1'-0"

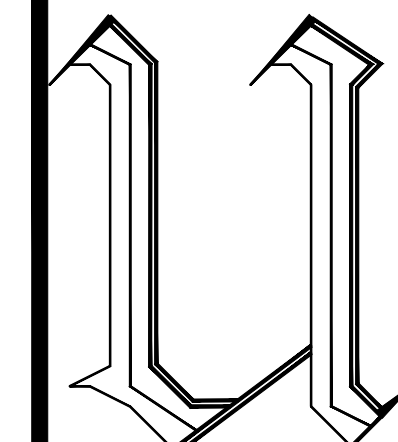


Weep Scream Detail 'A'

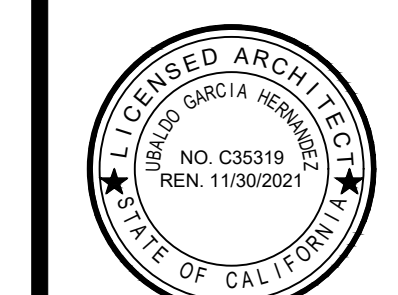


Weep Scream Detail 'B'

# The Sienna 1777 Plan Exterior Elevations 'B' w/ Standard gft Plate



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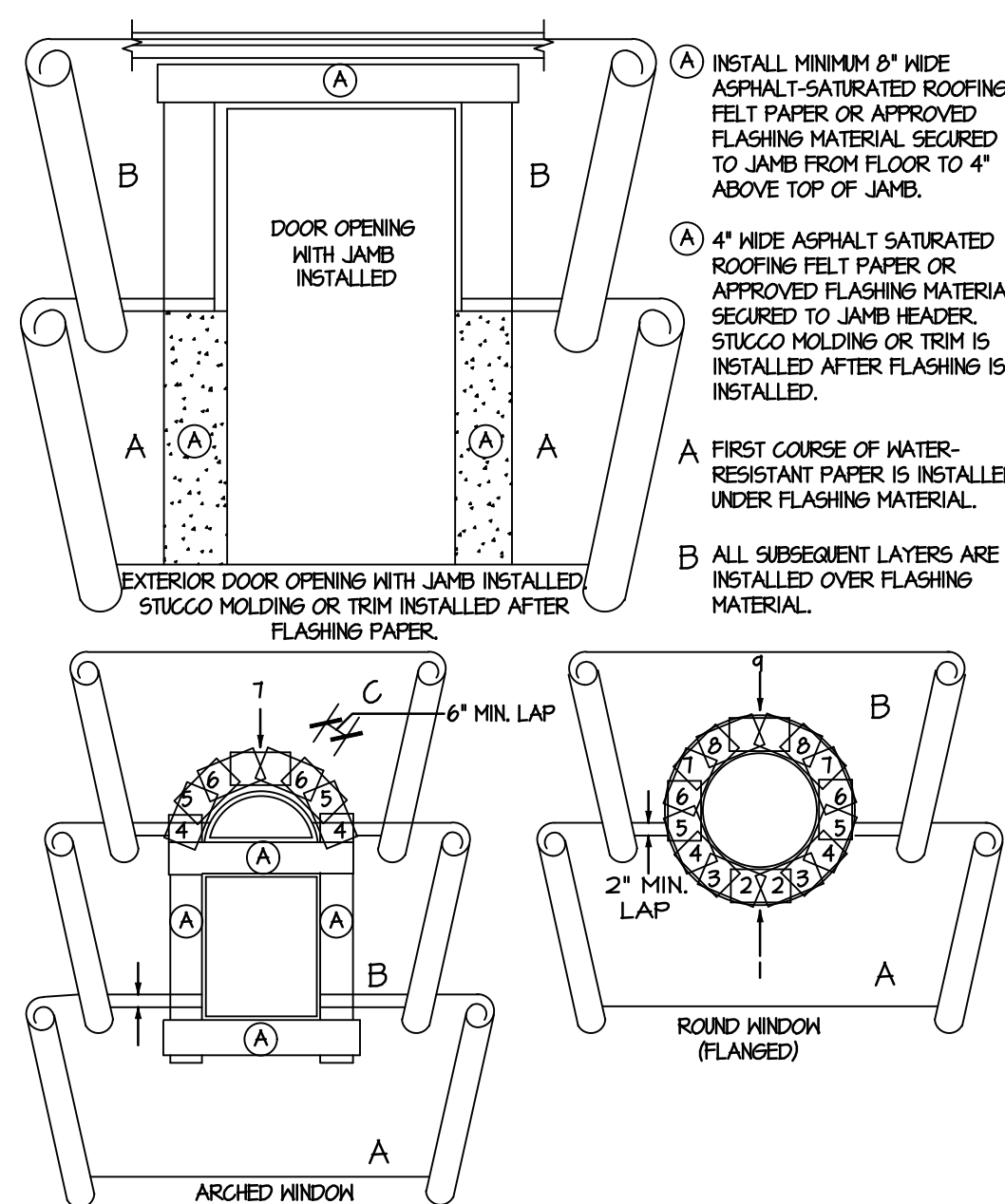
**Dreywood**

OWNER / BUILDER:  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
PESNO, CA 93727  
Phone: (559) 275-5200  
Email: jcrownd@crowning.com

DATE  
11/21/2021  
SCALE  
1/4" = 1'-0"  
JOB NO.  
1777 PLAN MADERA  
SHEET

**A3**





Door & Window Flashing Detail



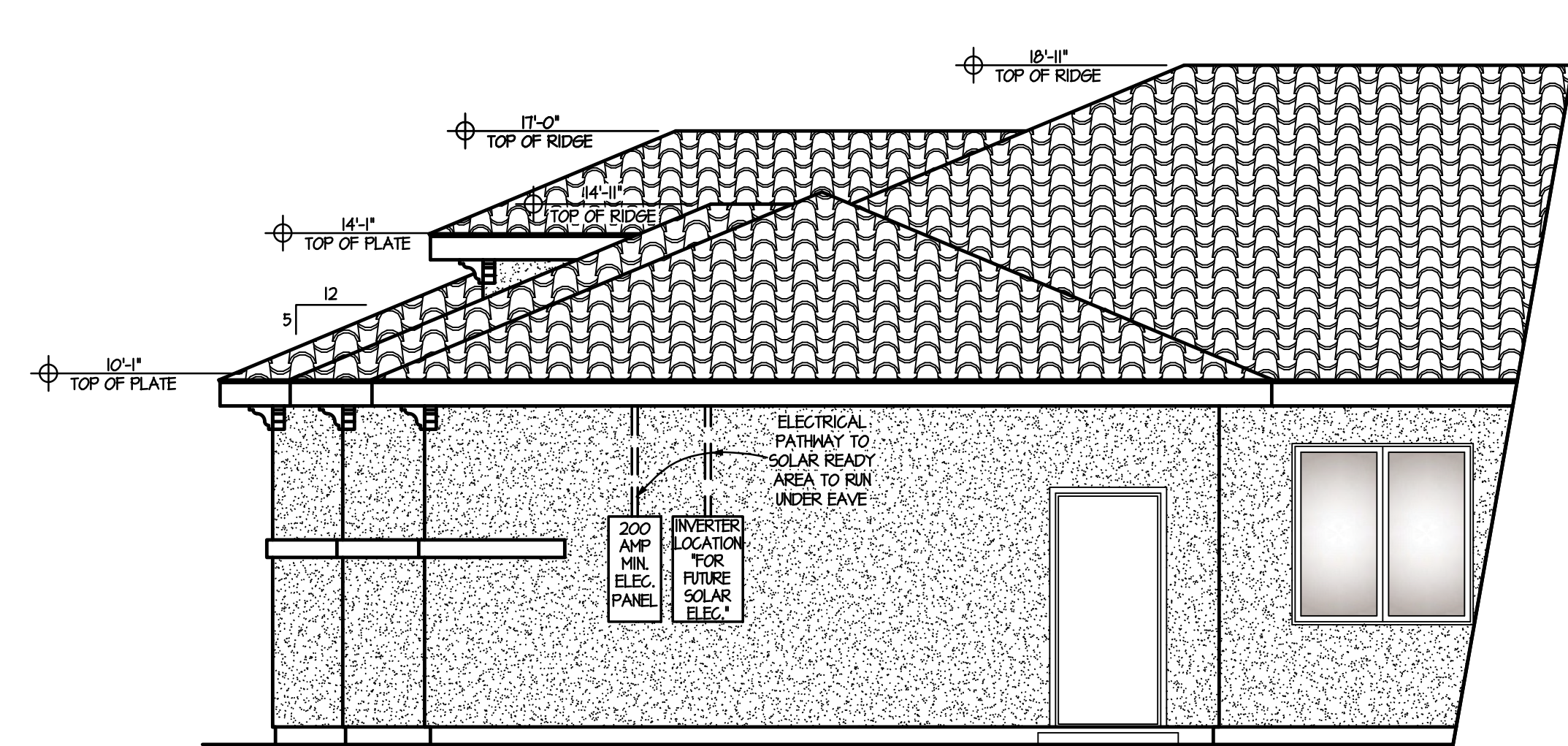
FRONT ELEVATION  
STANDARD ELEVATION

SCALE: 1/4" = 1'-0"



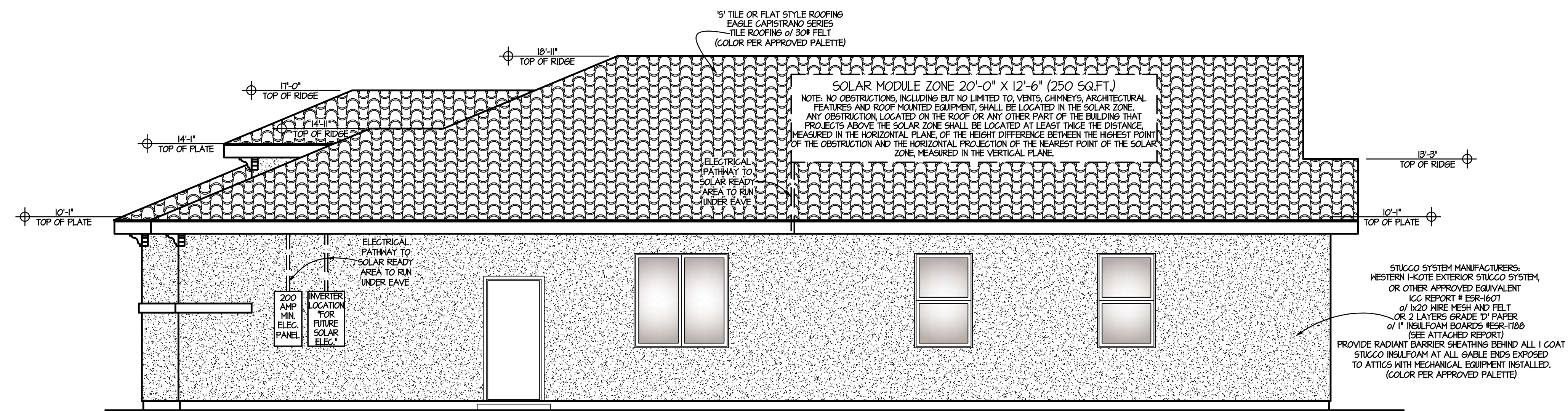
FRONT ELEVATION  
UPGRADED ELEVATION  
W/ 3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



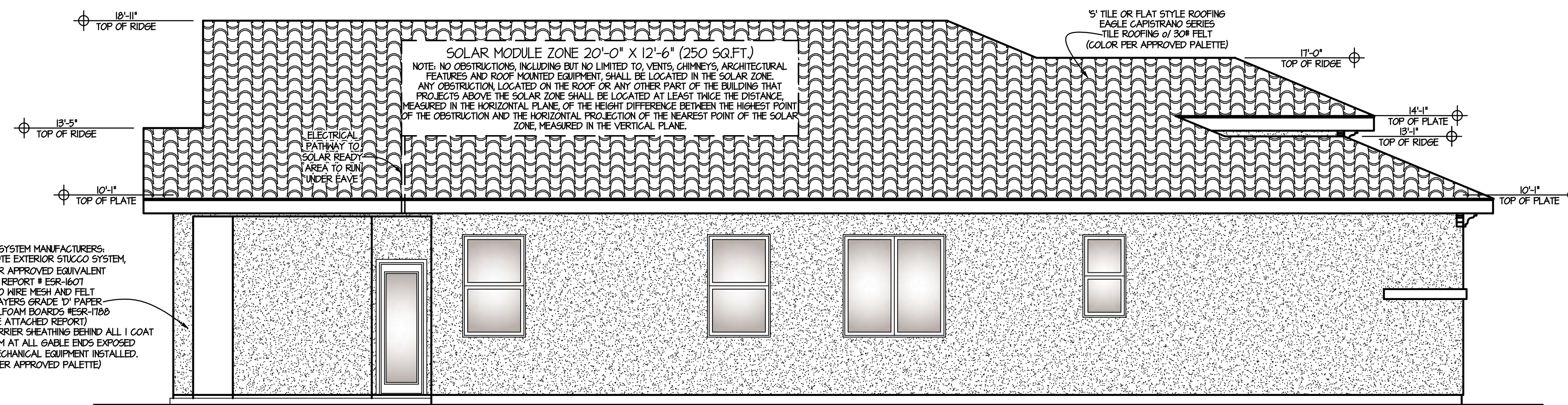
RIGHT SIDE ELEVATION  
W/ 3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"



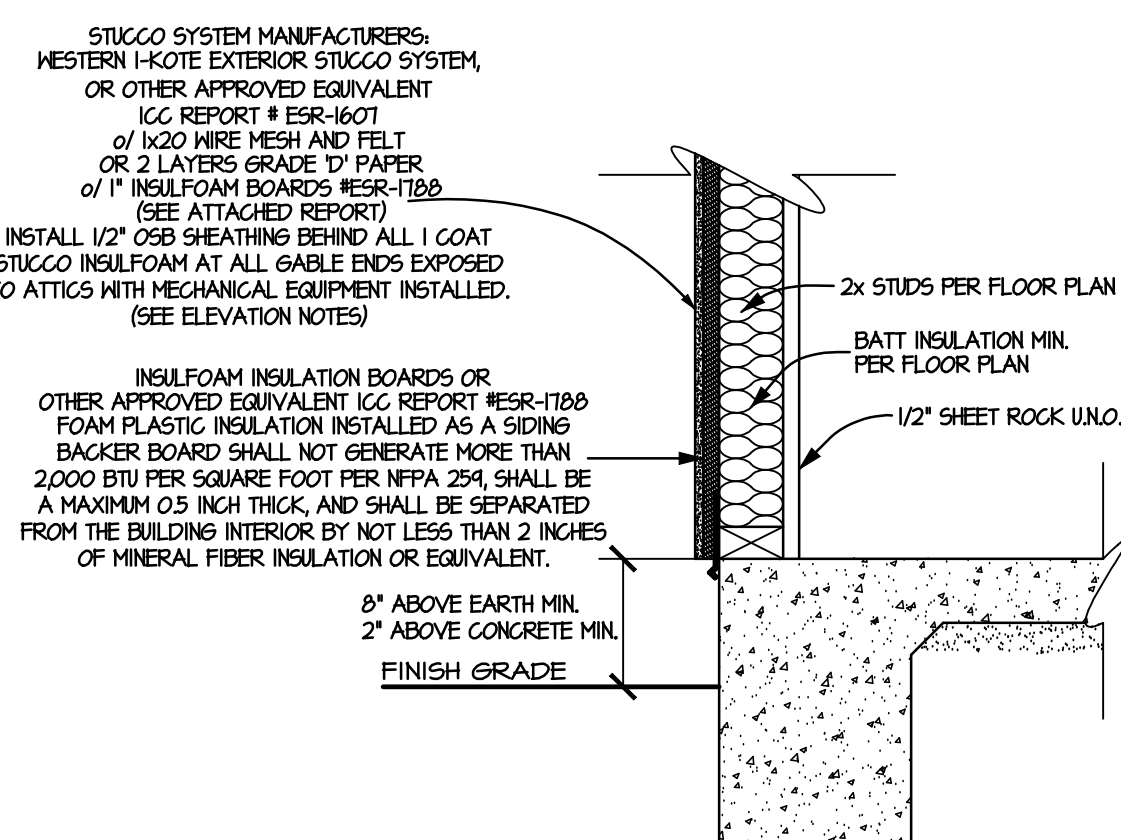
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

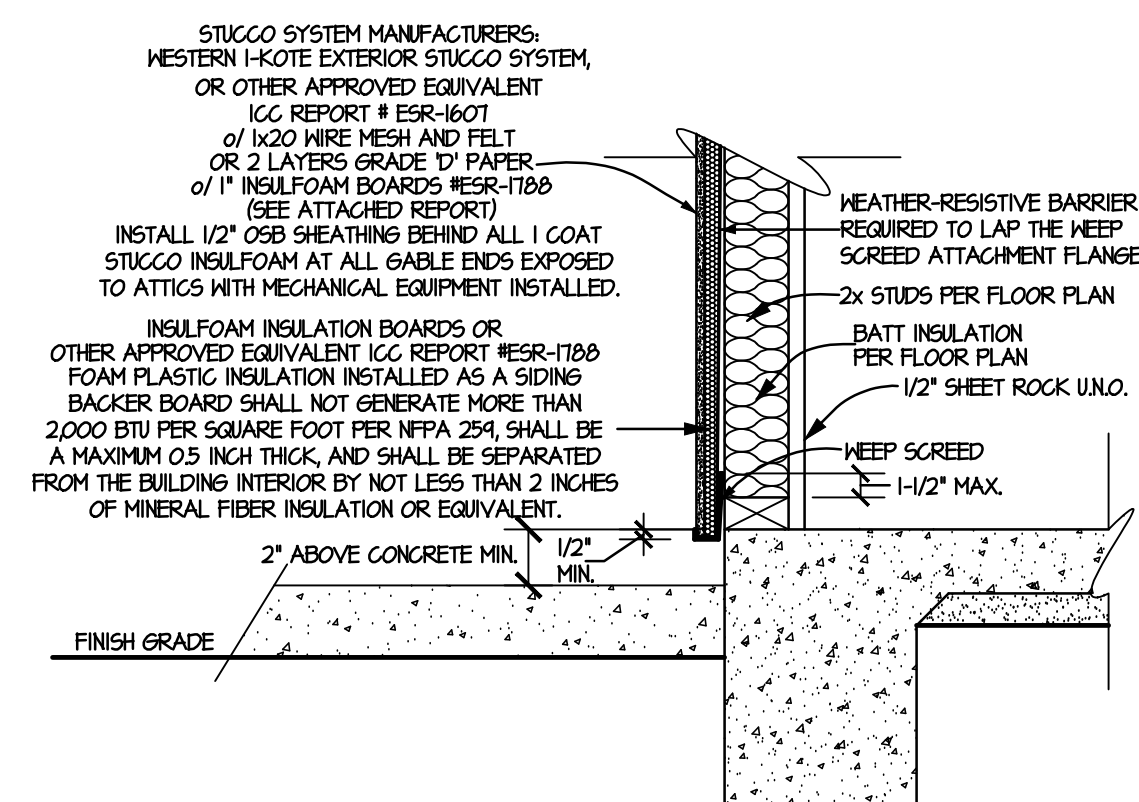


LEFT SIDE ELEVATION

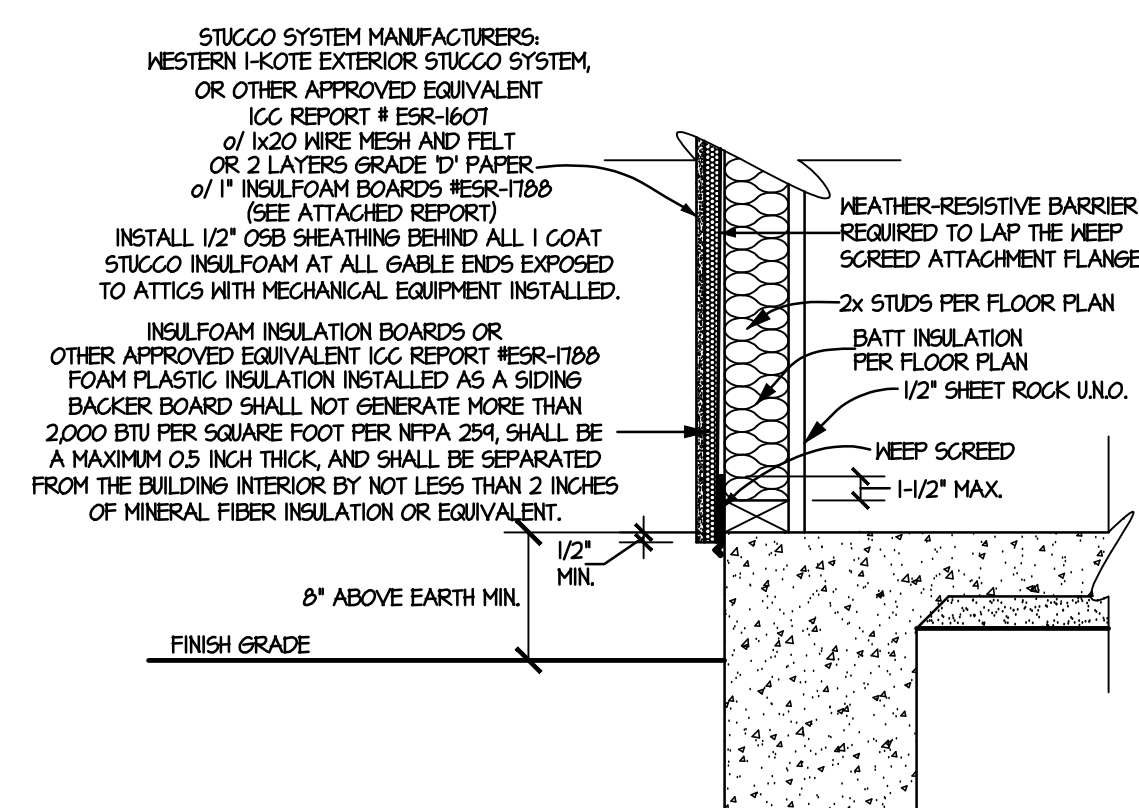
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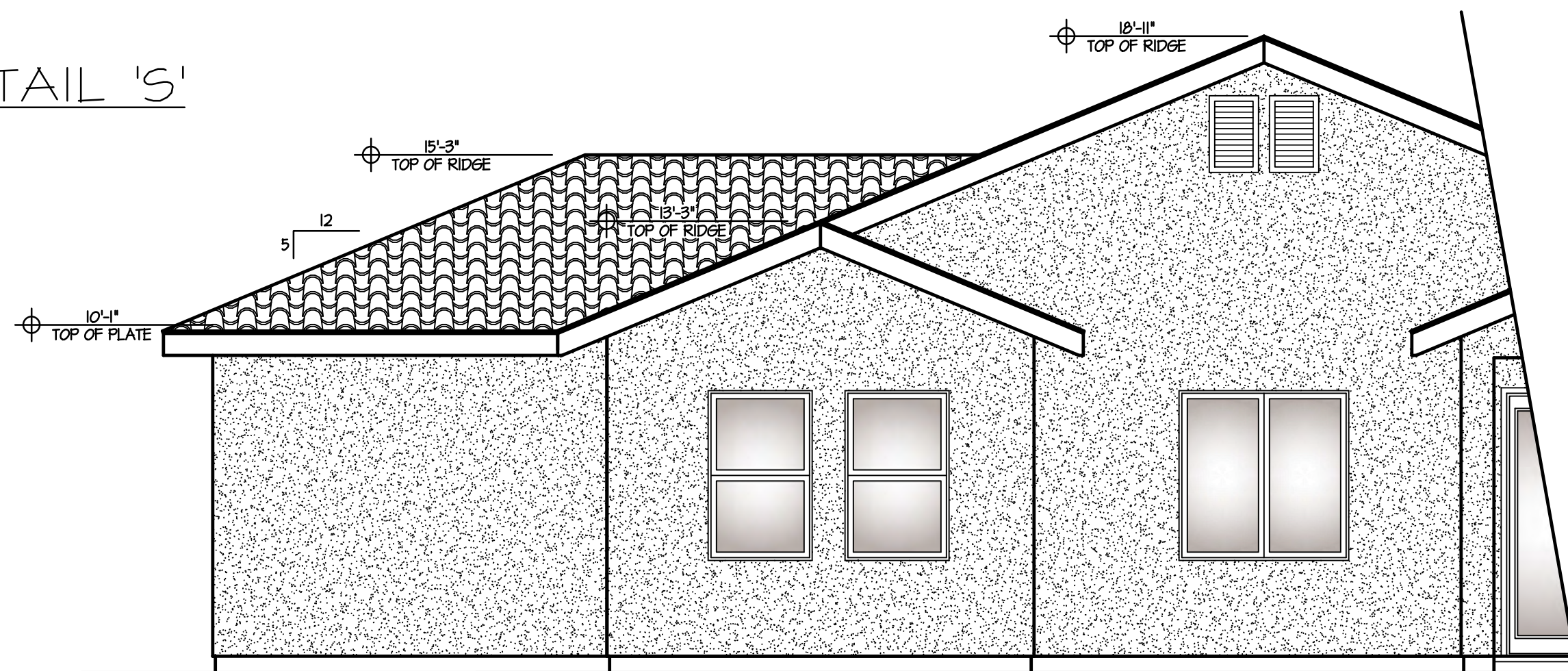
ONE COAT STUCCO DETAIL 'S'



Weep Scream Detail 'A'

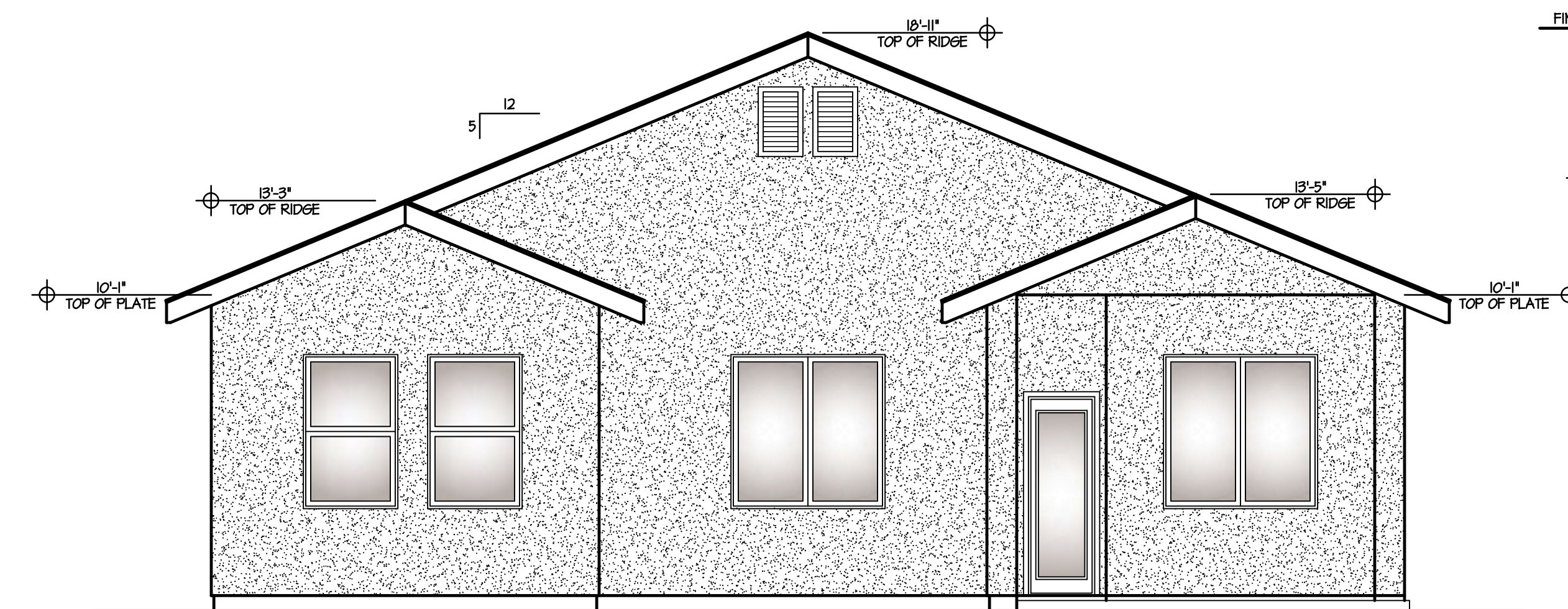


Weep Scream Detail 'B'



REAR ELEVATION  
W/ 3RD CAR GARAGE OPT.

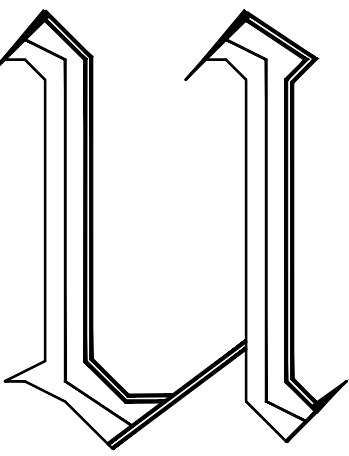
SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"

# The Sienna 1777 Plan Exterior Elevations 'B' w/ Optional 10ft Plate



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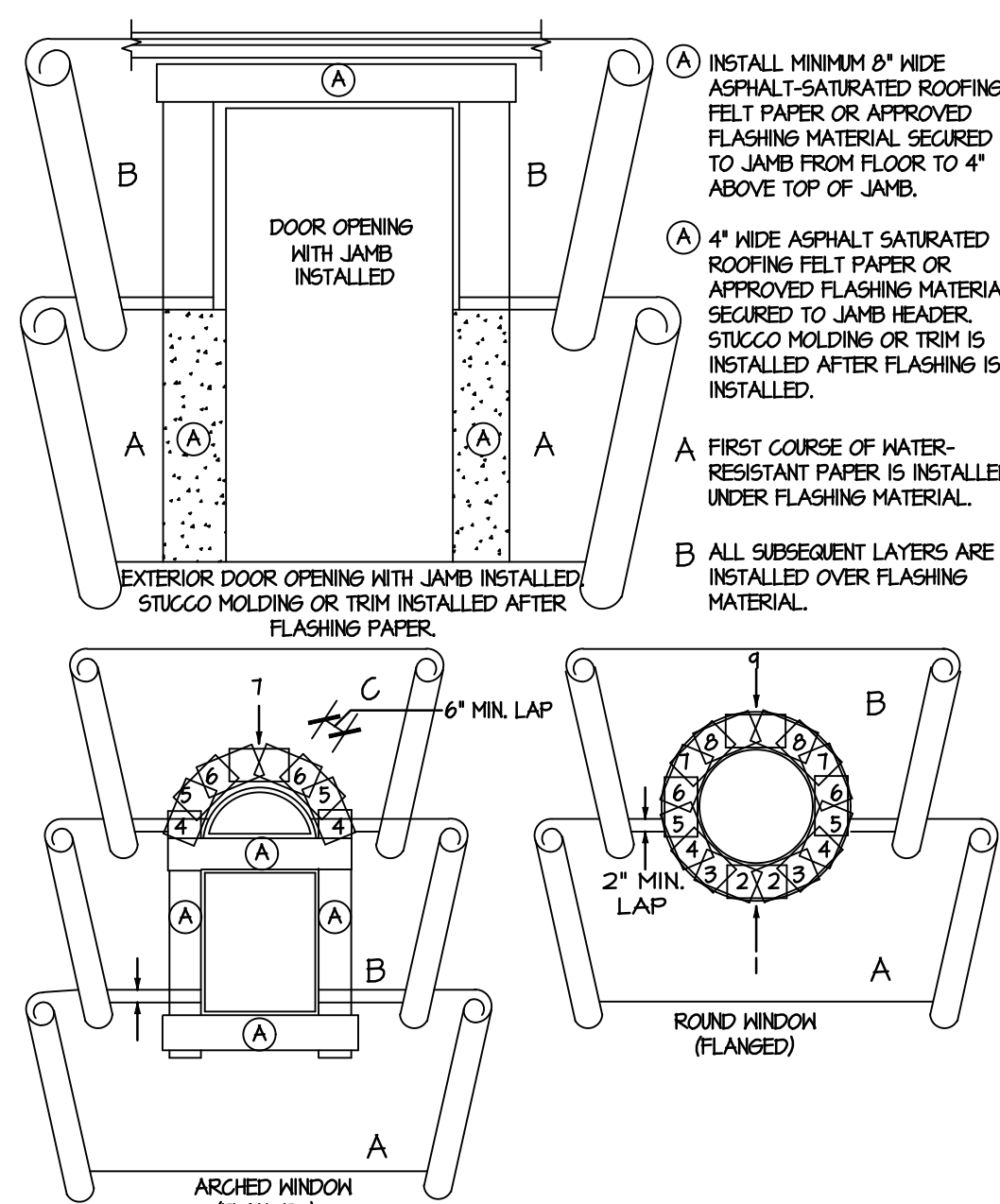
**Dreywood**

**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
FRESNO, CA 93727  
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DATE: 11/21/2021  
SCALE: 1/4" = 1'-0"  
JOB NO.: 1777 PLAN MADERA  
SHEET

**B3**



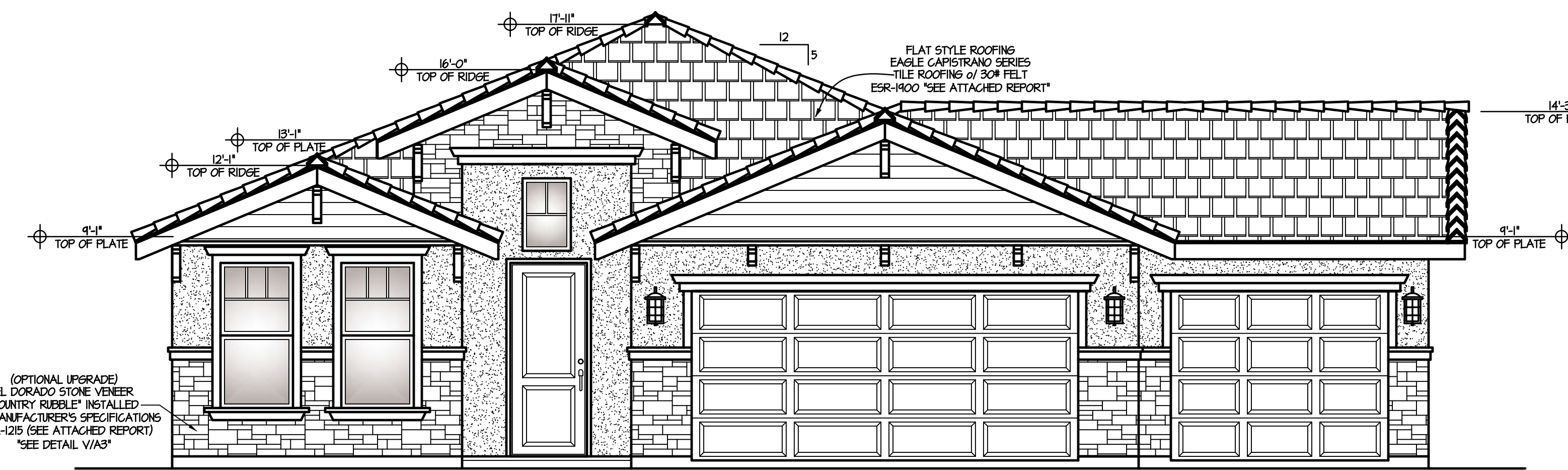


Door & Window Flashing Detail



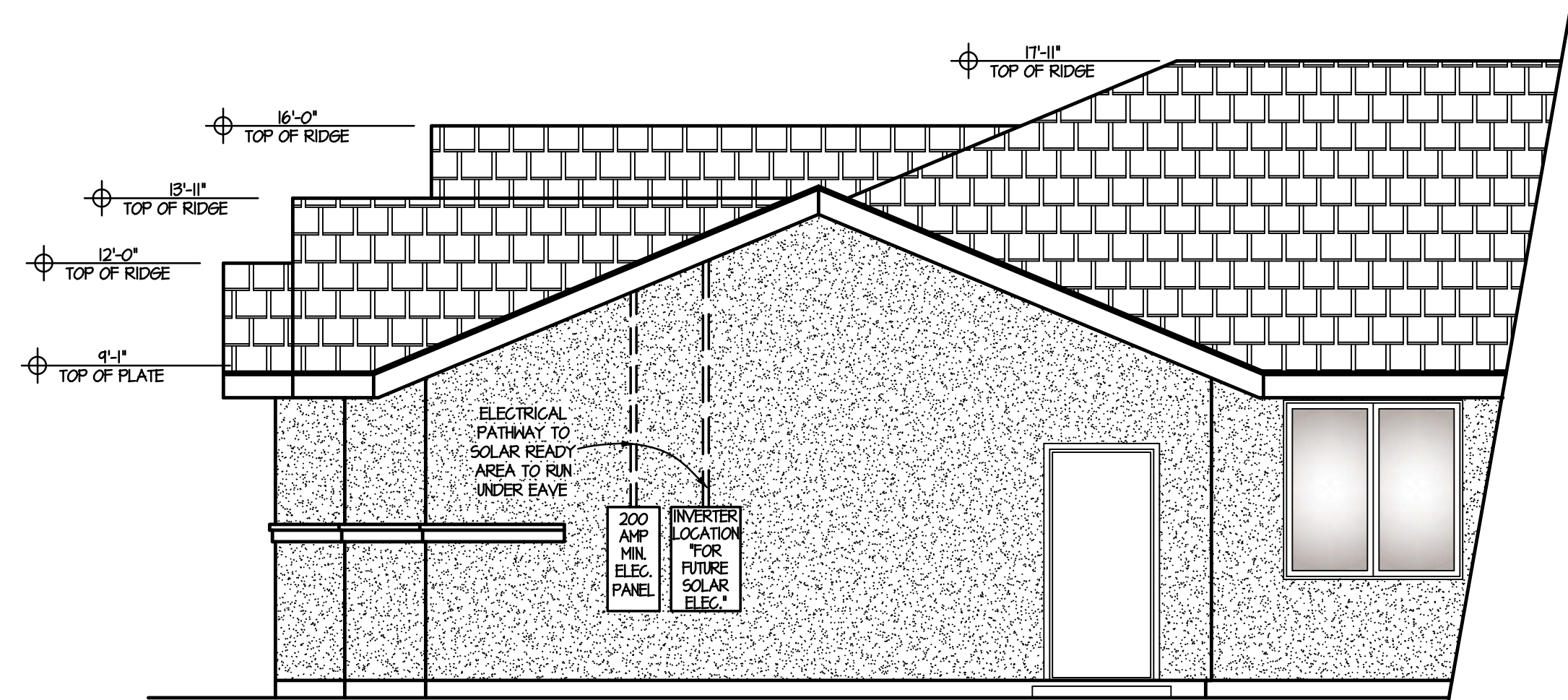
FRONT ELEVATION  
STANDARD ELEVATION

SCALE: 1/4" = 1'-0"



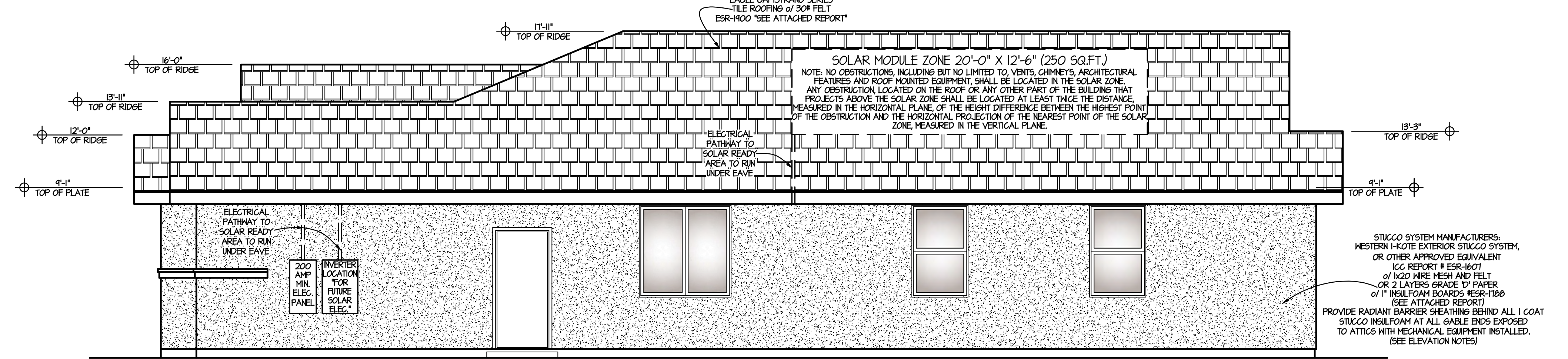
FRONT ELEVATION  
UPGRADED ELEVATION  
w/ 3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



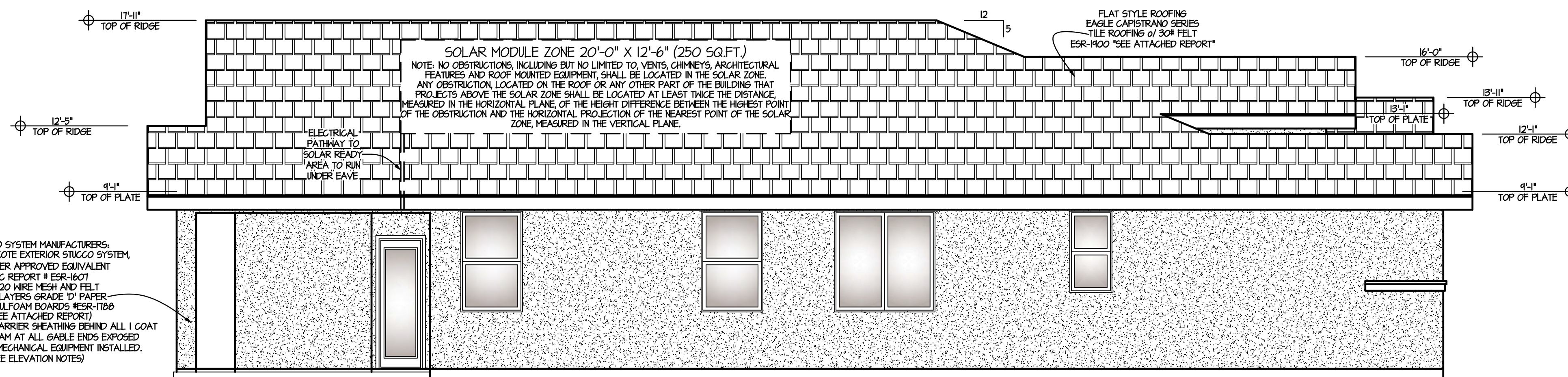
RIGHT SIDE ELEVATION  
w/ 3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"



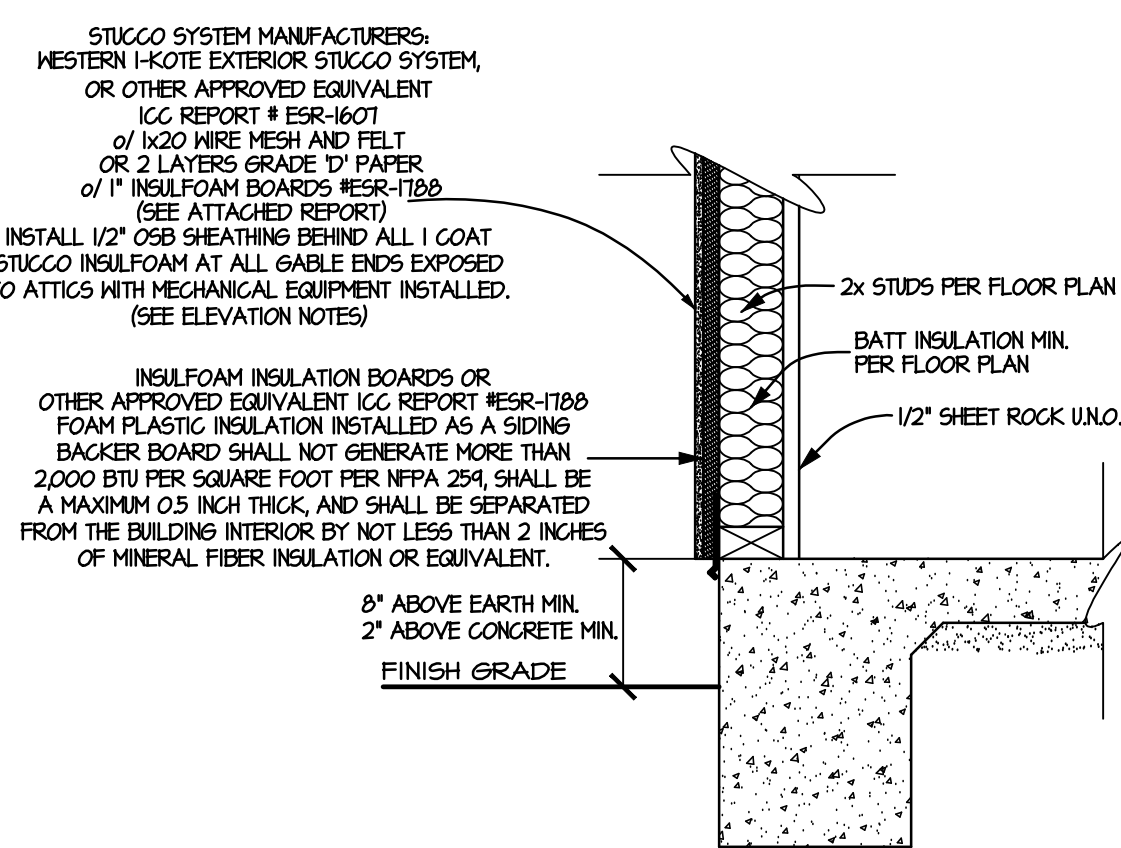
RIGHT SIDE ELEVATION

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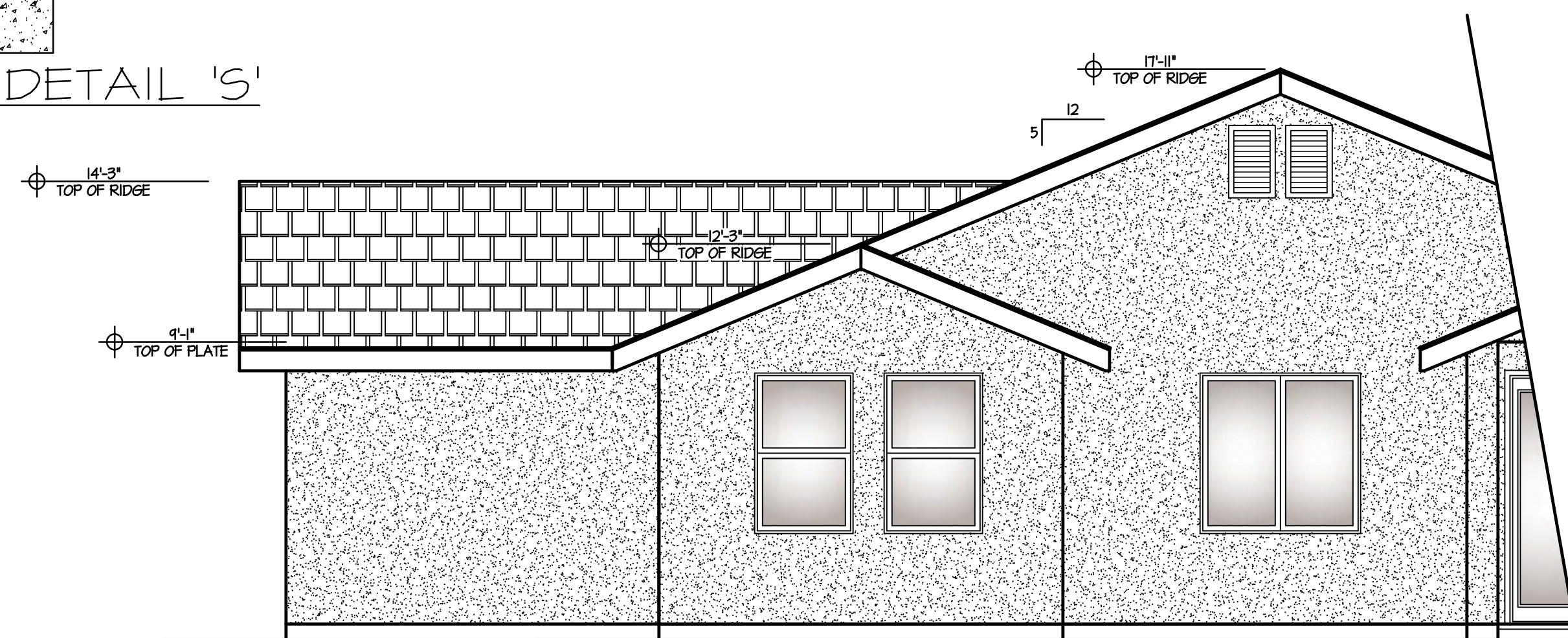


LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

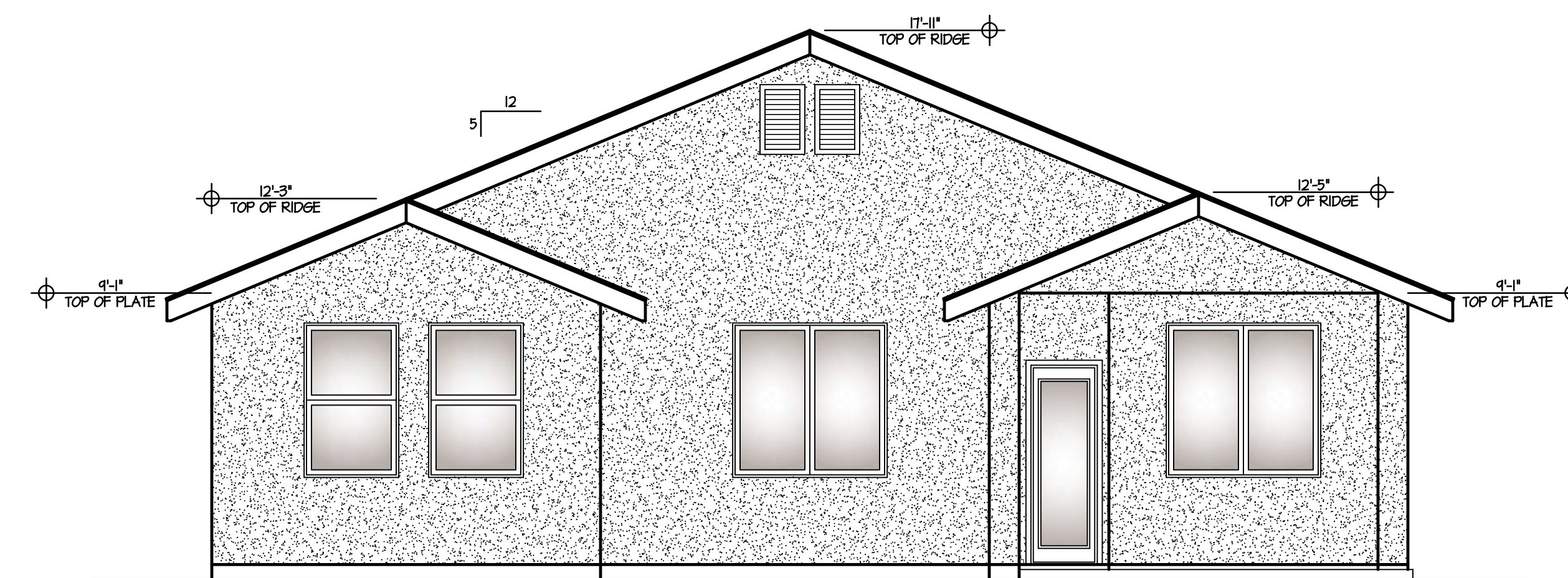


ONE COAT STUCCO DETAIL 'S'



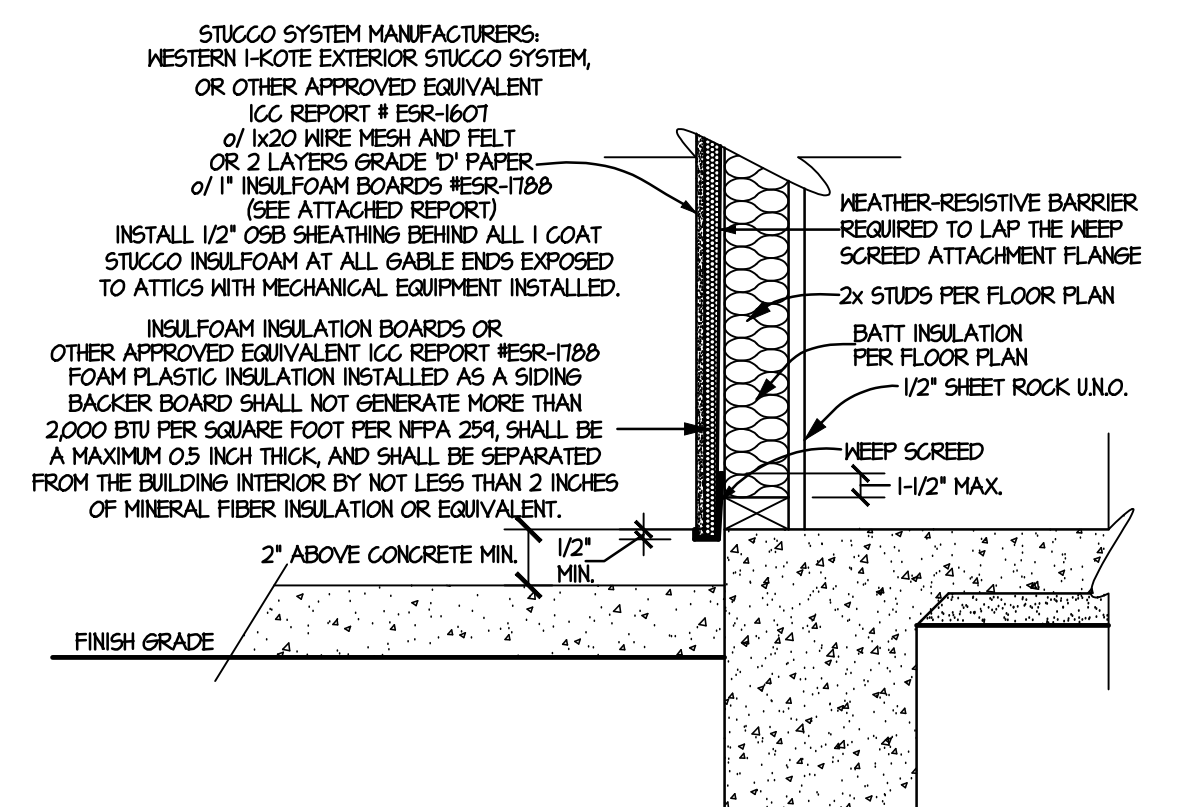
REAR ELEVATION  
3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"

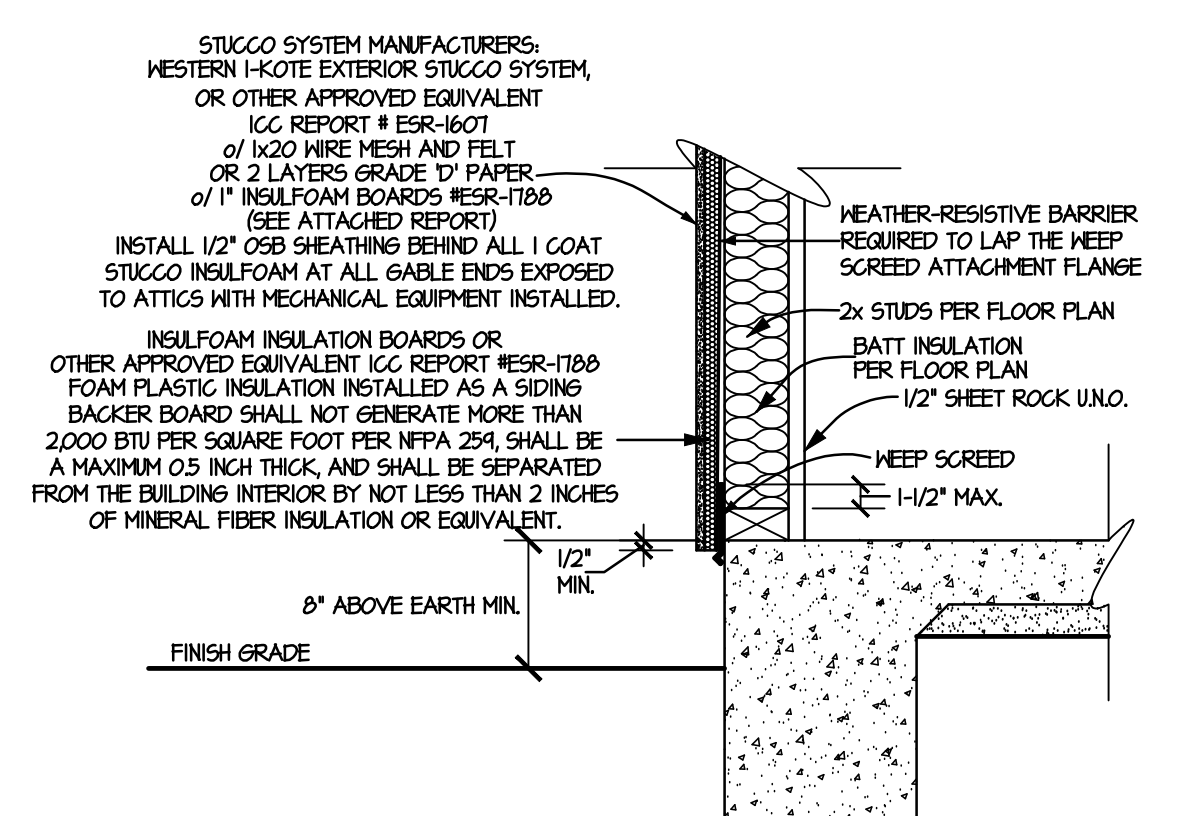


REAR ELEVATION

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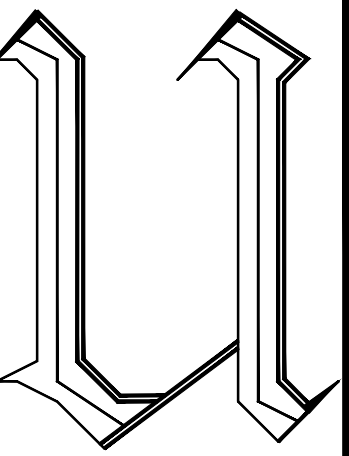


Weep Screenshot Detail 'A'



Weep Screenshot Detail 'B'

# The Sienna 1777 Plan Exterior Elevations 'C' w/ Standard gft Plate



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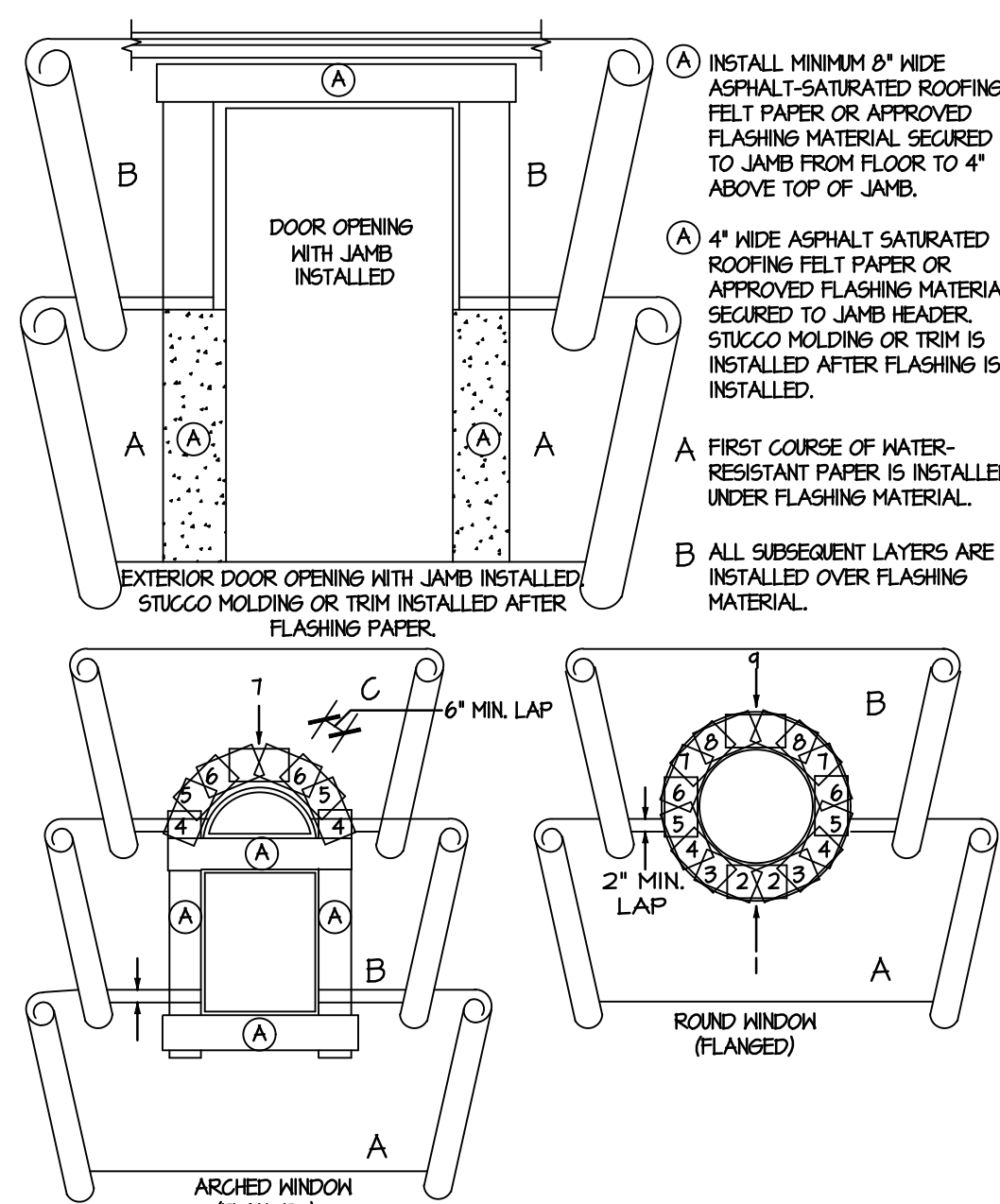
**Dreywood**

OWNER / BUILDER:  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
FRESNO, CA 93727  
Phone: (559) 275-5200  
Email: jcrownd@crowning.com

DATE  
11/21/2021  
SCALE  
1/4" = 1'-0"  
JOB NO.  
1777 PLAN MADERA  
SHEET

**A4**



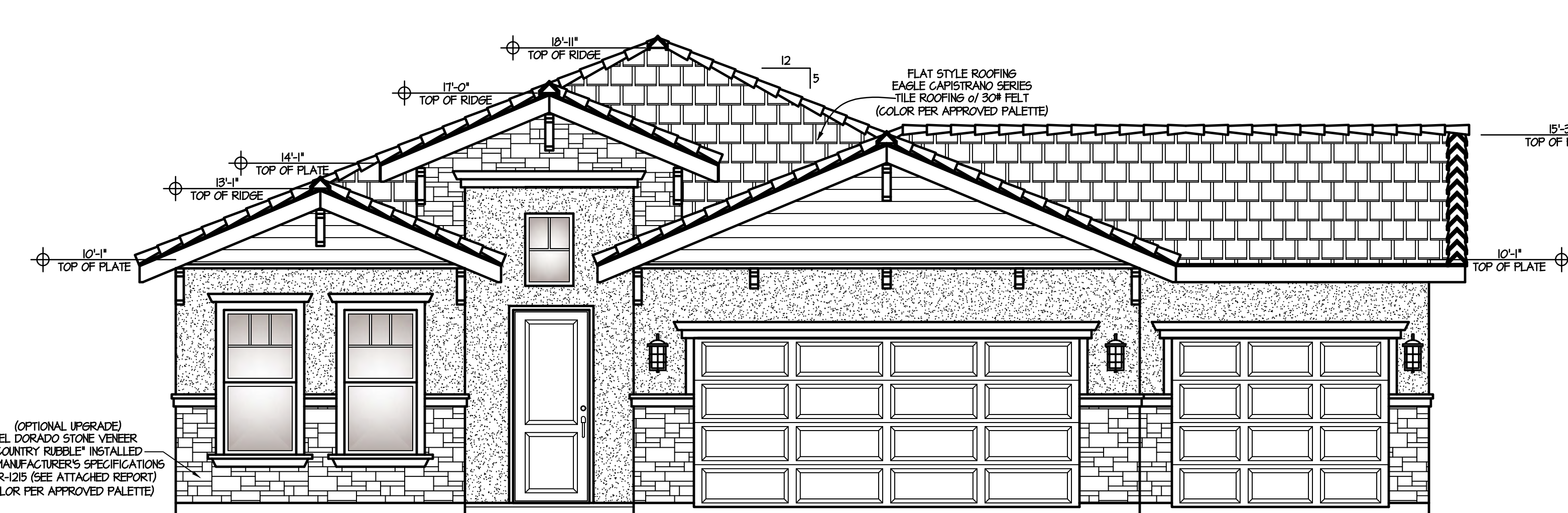


Door & Window Flashing Detail



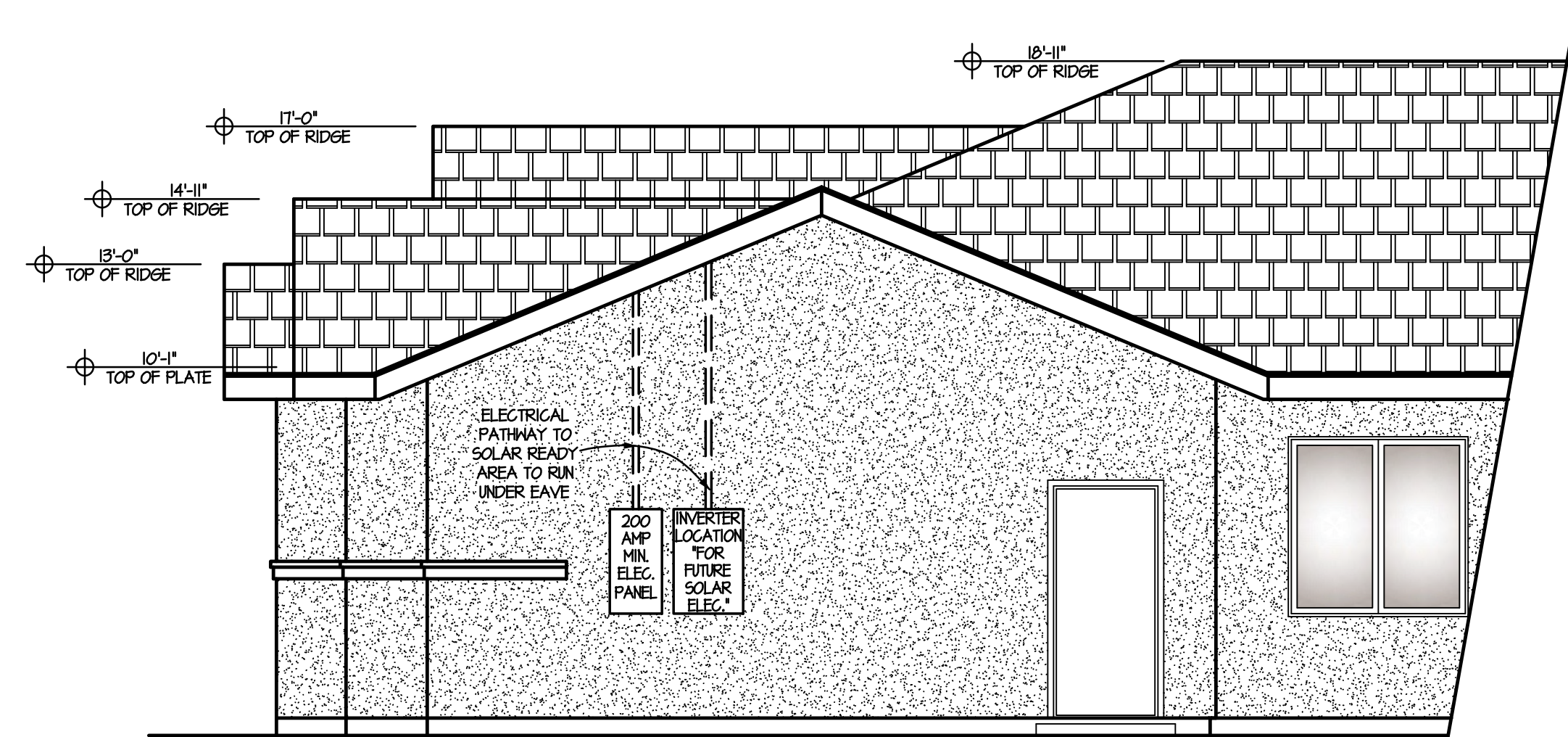
FRONT ELEVATION  
STANDARD ELEVATION

SCALE: 1/4" = 1'-0"



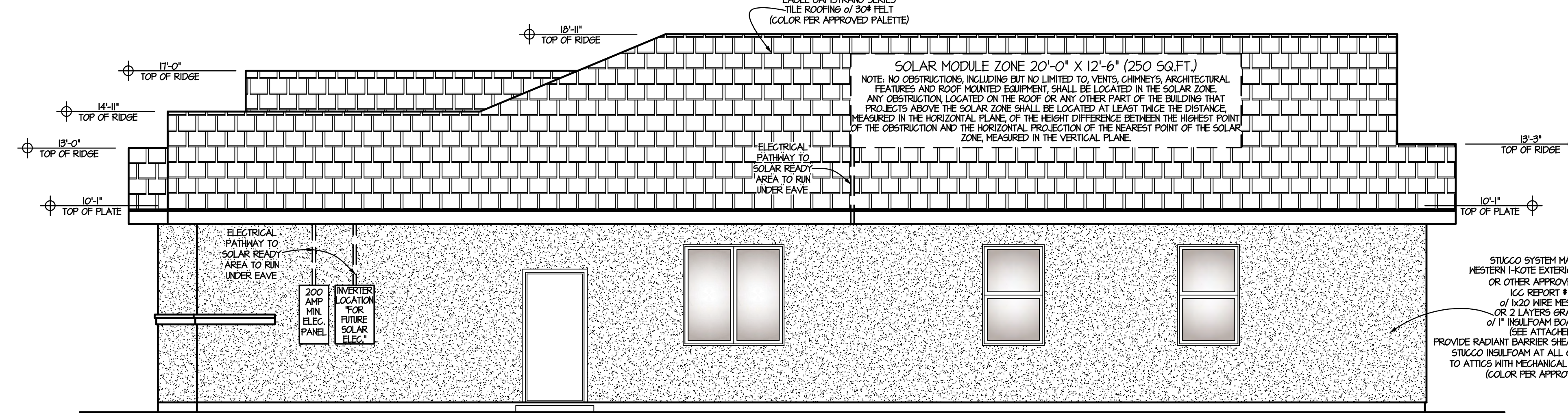
FRONT ELEVATION  
UPGRADED ELEVATION  
W/ 3RD CAR GARAGE OPTION

SCALE: 1/4" = 1'-0"



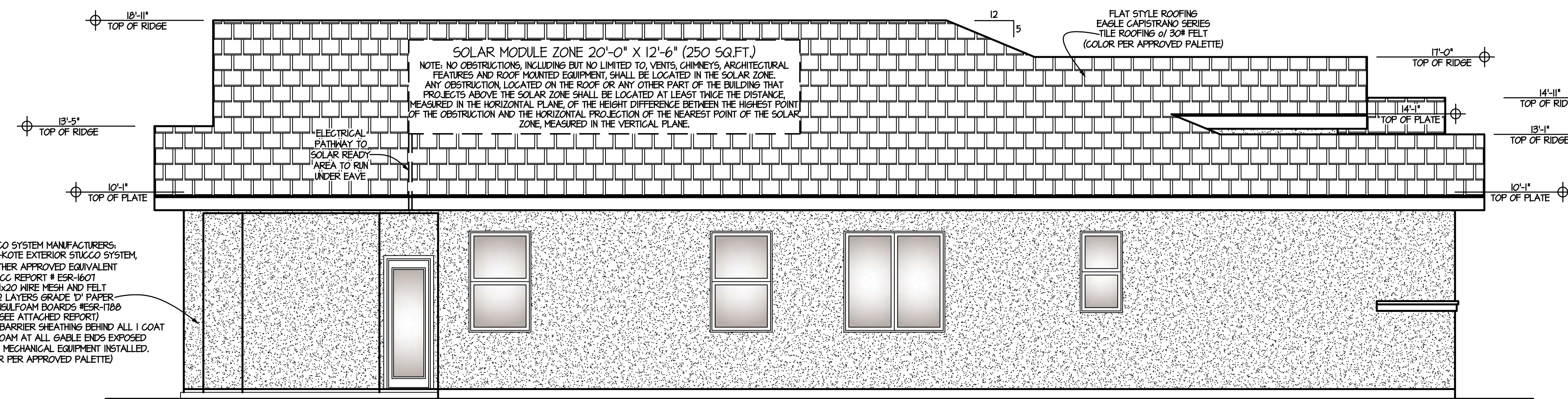
RIGHT SIDE ELEVATION  
W/ 3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"



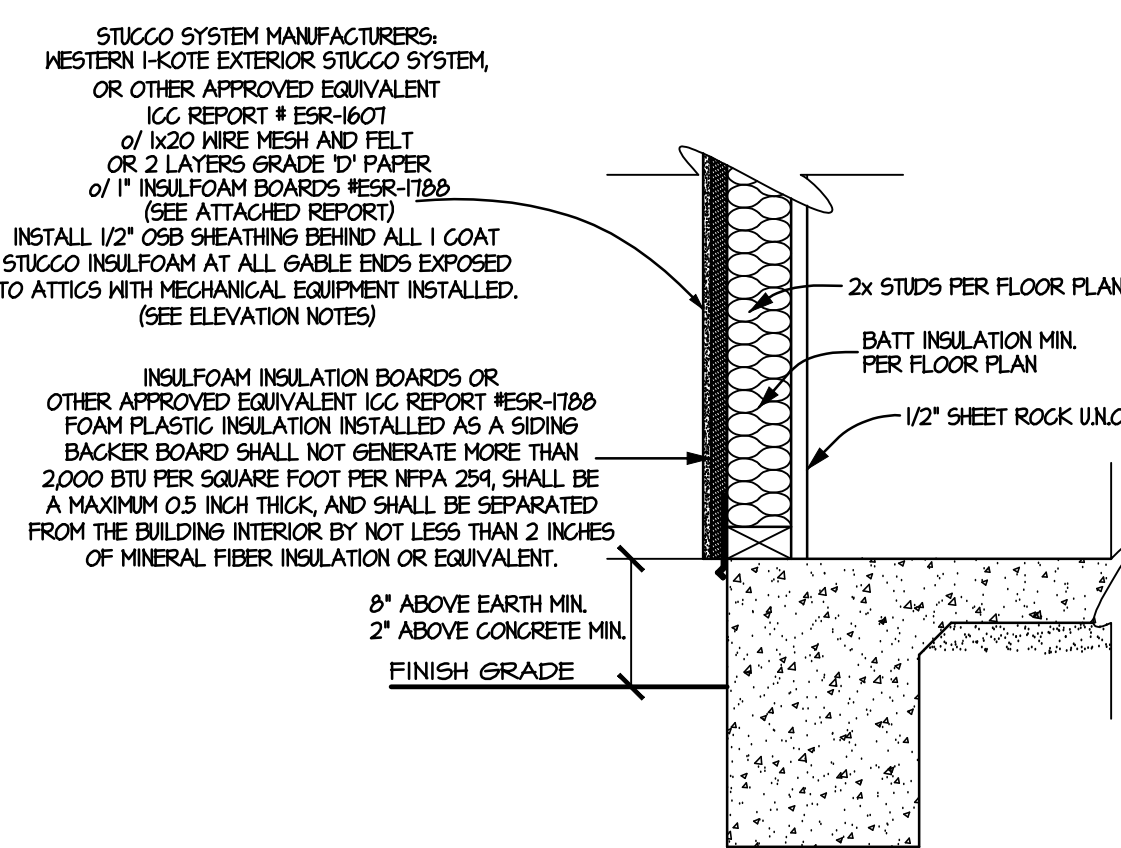
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

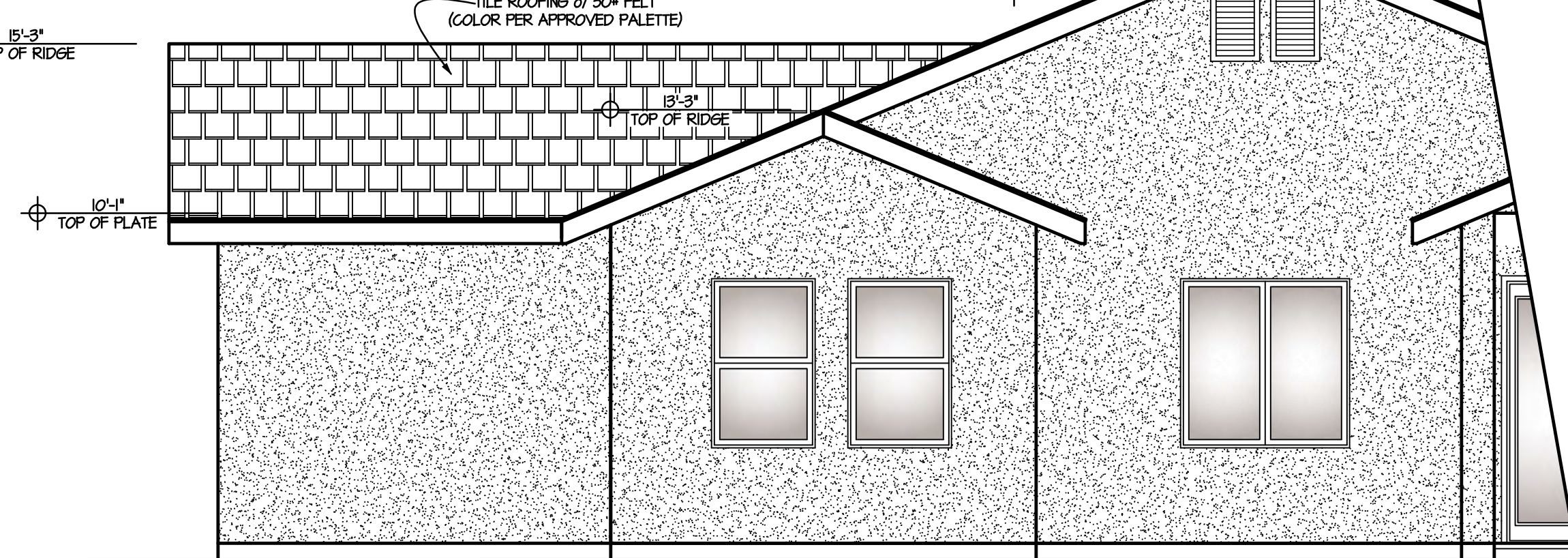


LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

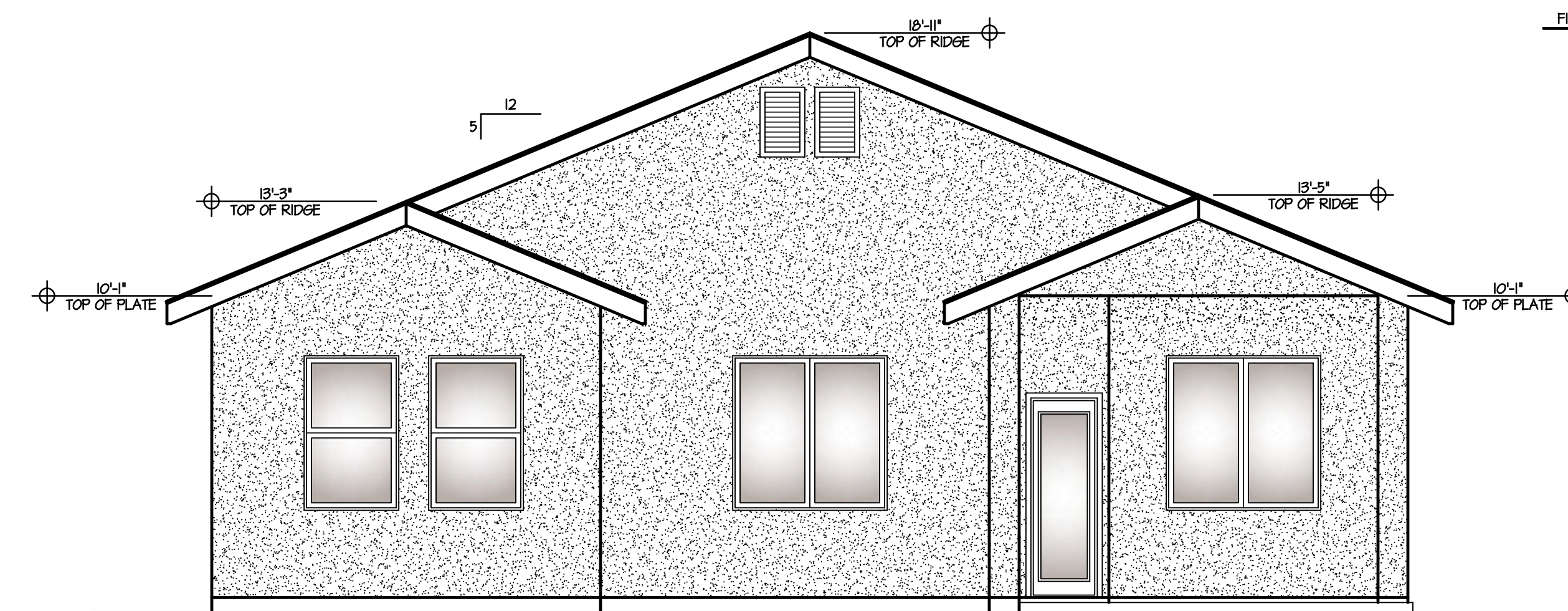


ONE COAT STUCCO DETAIL 'S'



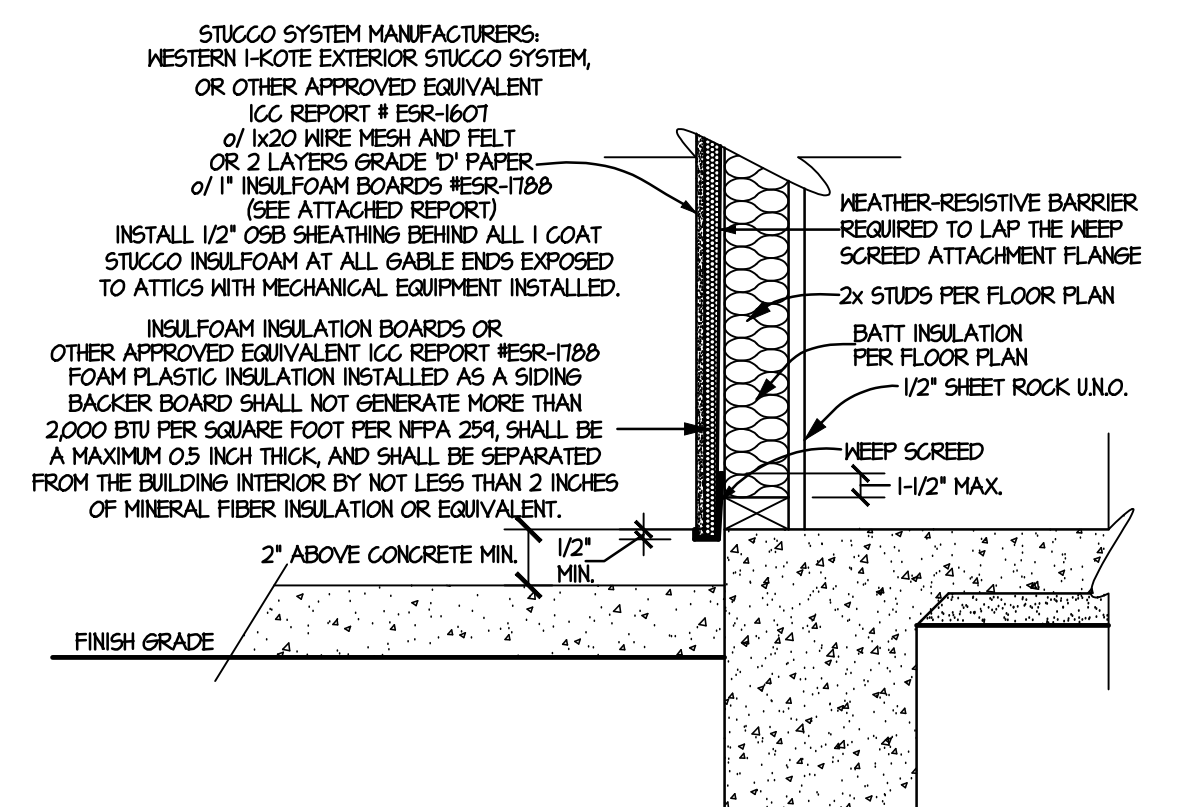
REAR ELEVATION  
W/ 3RD CAR GARAGE OPT.

SCALE: 1/4" = 1'-0"

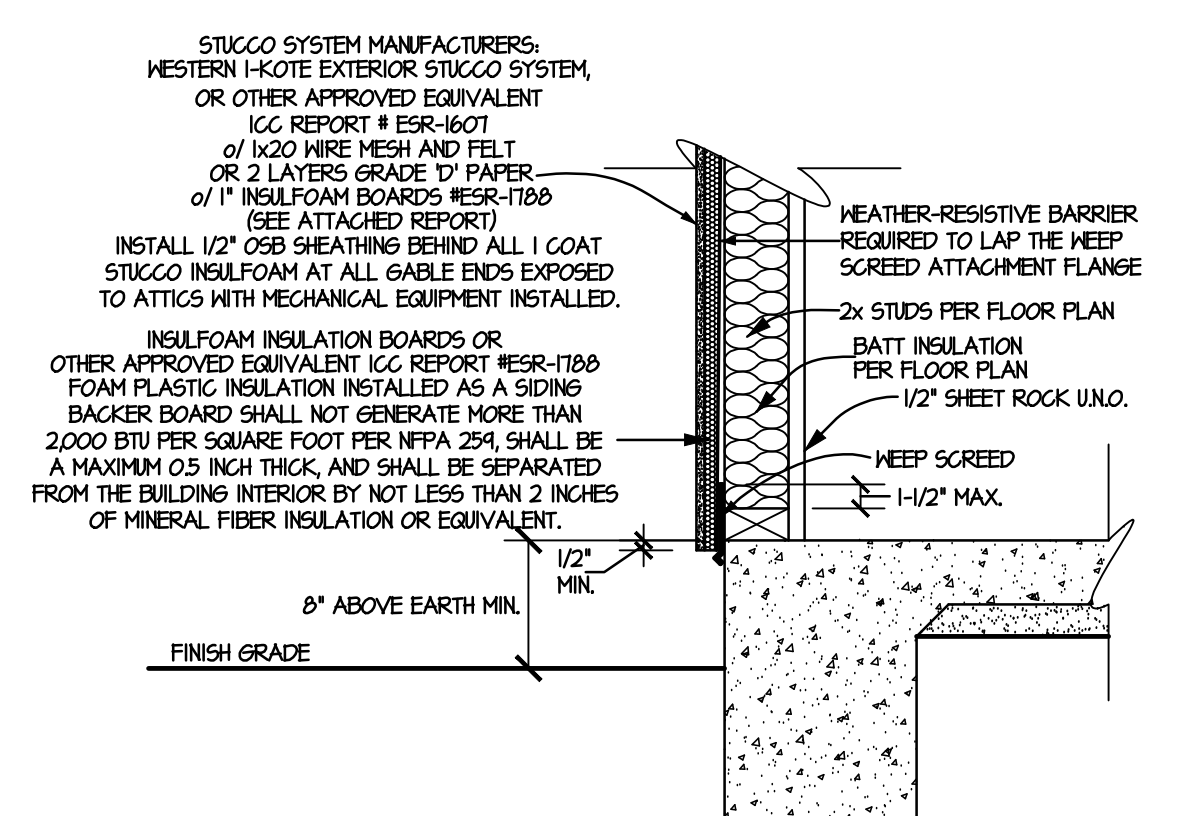


REAR ELEVATION

SCALE: 1/4" = 1'-0"

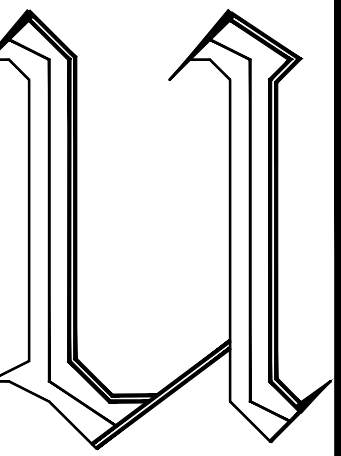


Weep Screenshot Detail 'A'



Weep Screenshot Detail 'B'

# The Sienna 1777 Plan Exterior Elevations 'C' w/ Optional 10ft Plate



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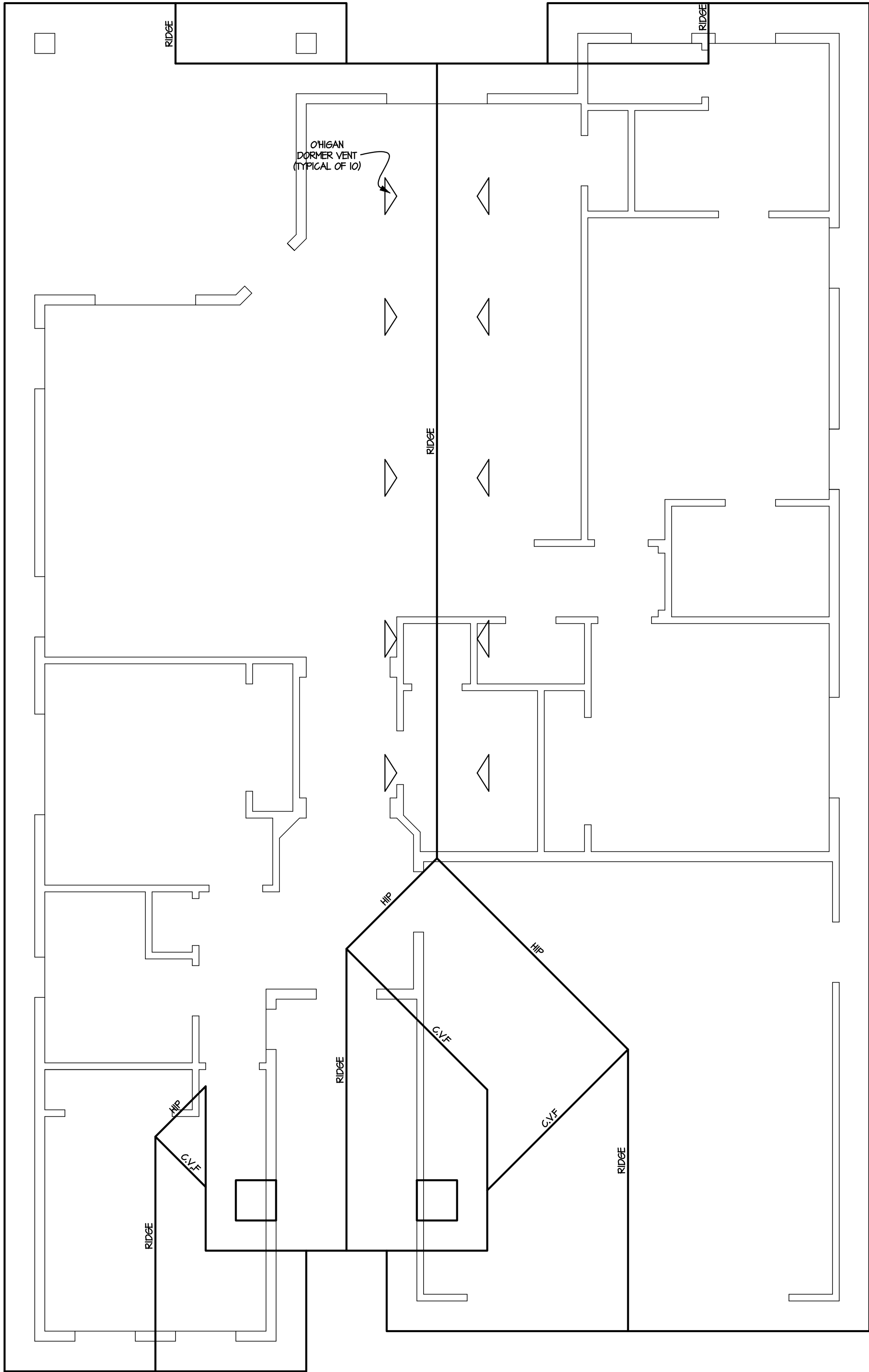
**Dreywood**

OWNER / BUILDER:  
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5320 E. PINE AVENUE  
Fresno, CA 93727  
Phone: (559) 275-5200  
Email: jcrownd@crowndliving.com

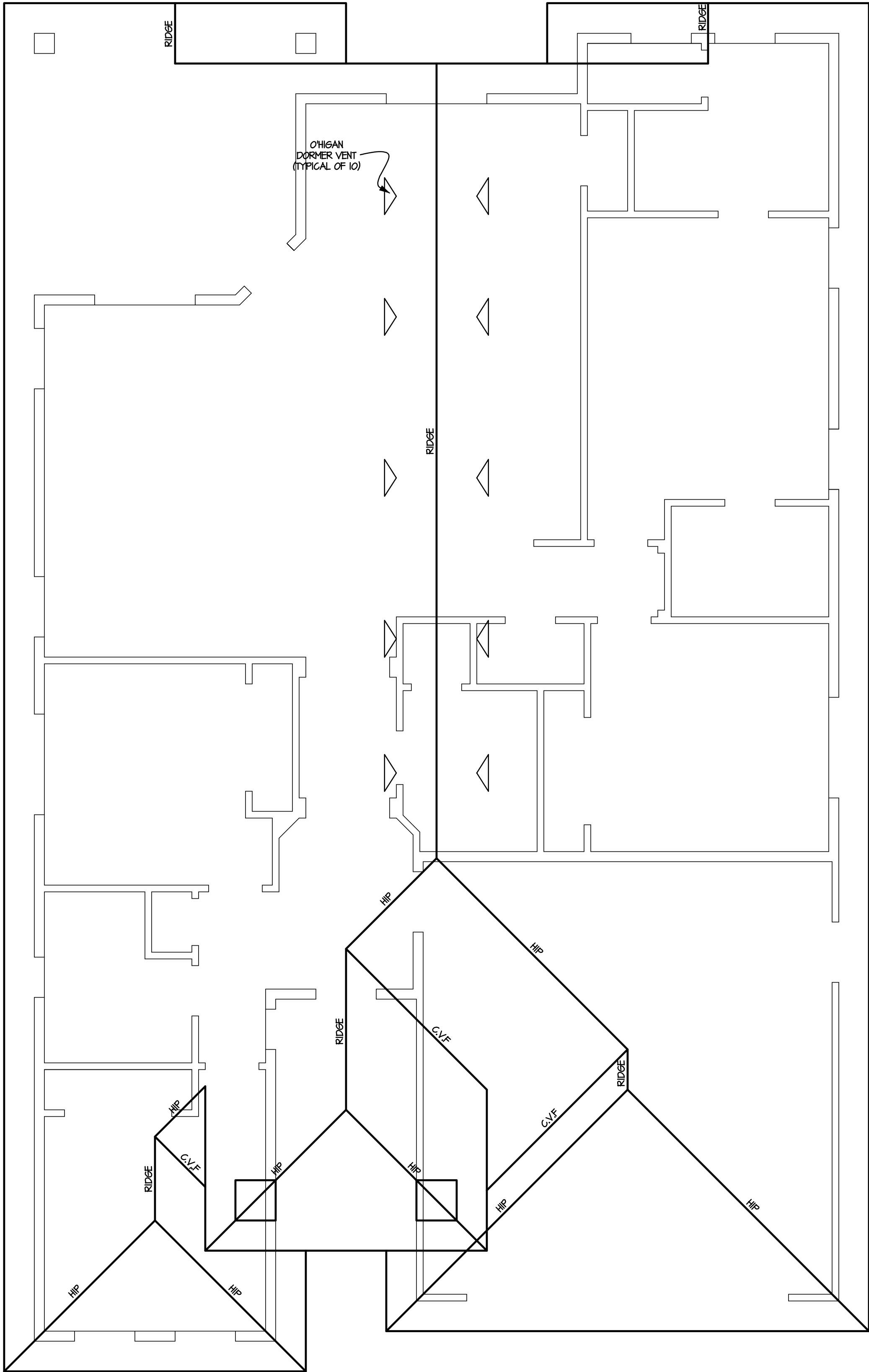
DATE  
11/21/2021  
SCALE  
1/4" = 1'-0"  
JOB NO.  
1777 PLAN MADERA  
SHEET

**B4**

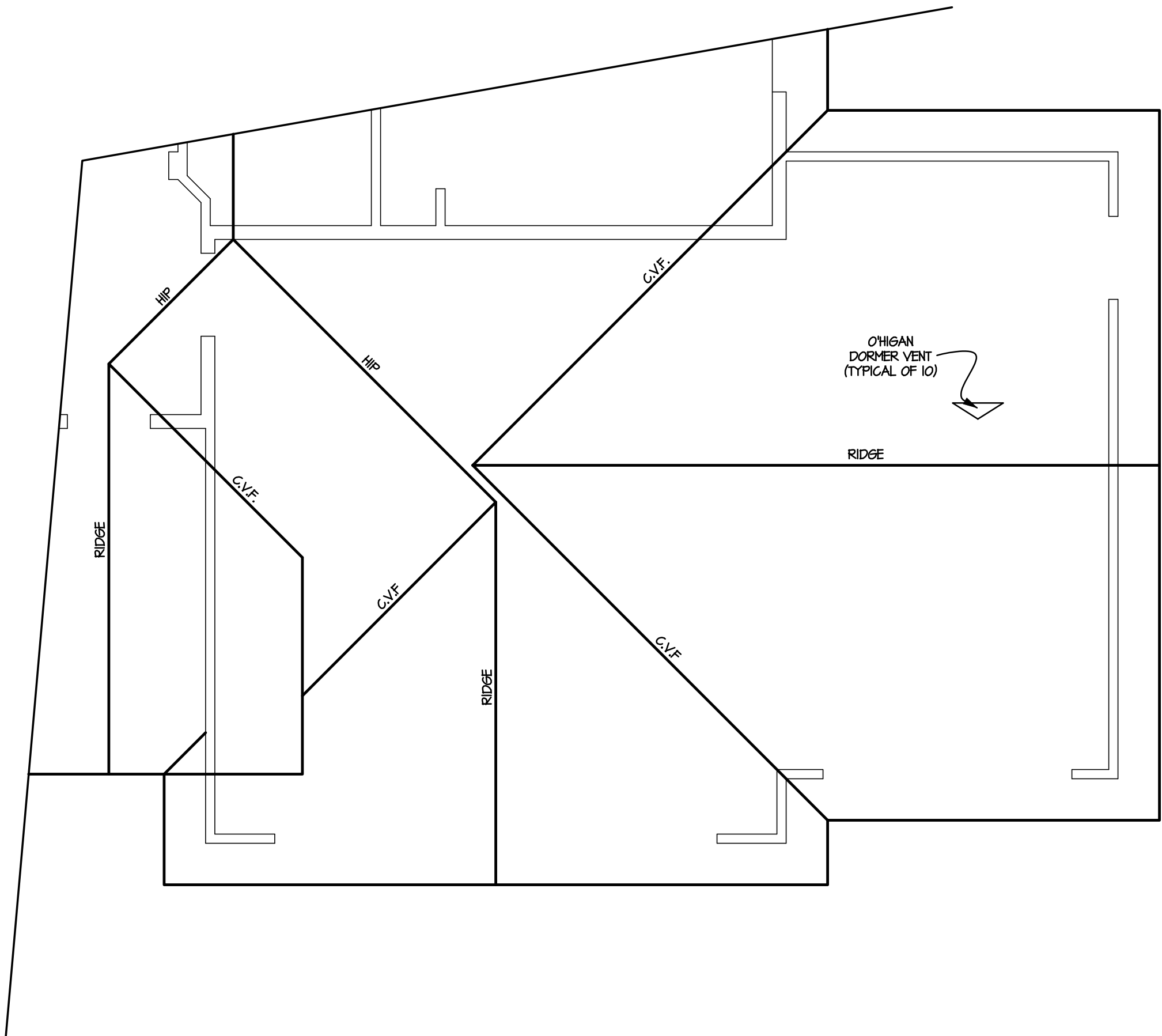




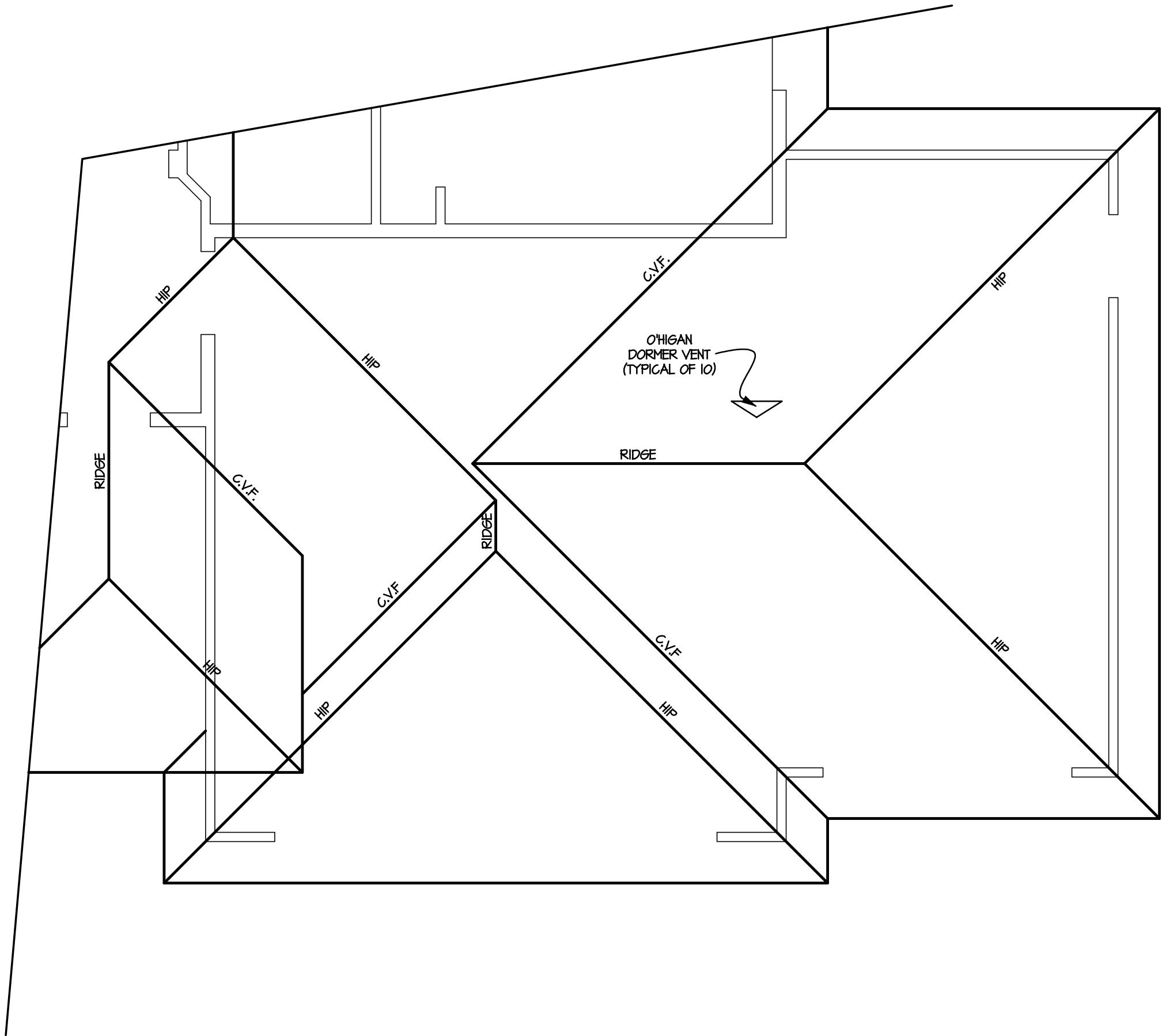
Roof Framing Plan 'A' & 'C'



Roof Framing Plan 'B'

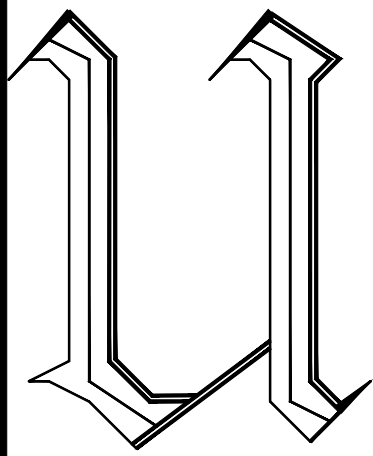


Roof Framing Plan 'A' & 'C'  
w/ Optional 3rd Car Garage



Roof Framing Plan 'B'  
w/ Optional 3rd Car Garage

The Sienna 1777 Plan Roof Plan



**Villa Di Ubaldo**  
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Ubaldo Garcia Hernandez  
Architect Lic. No. C-35319



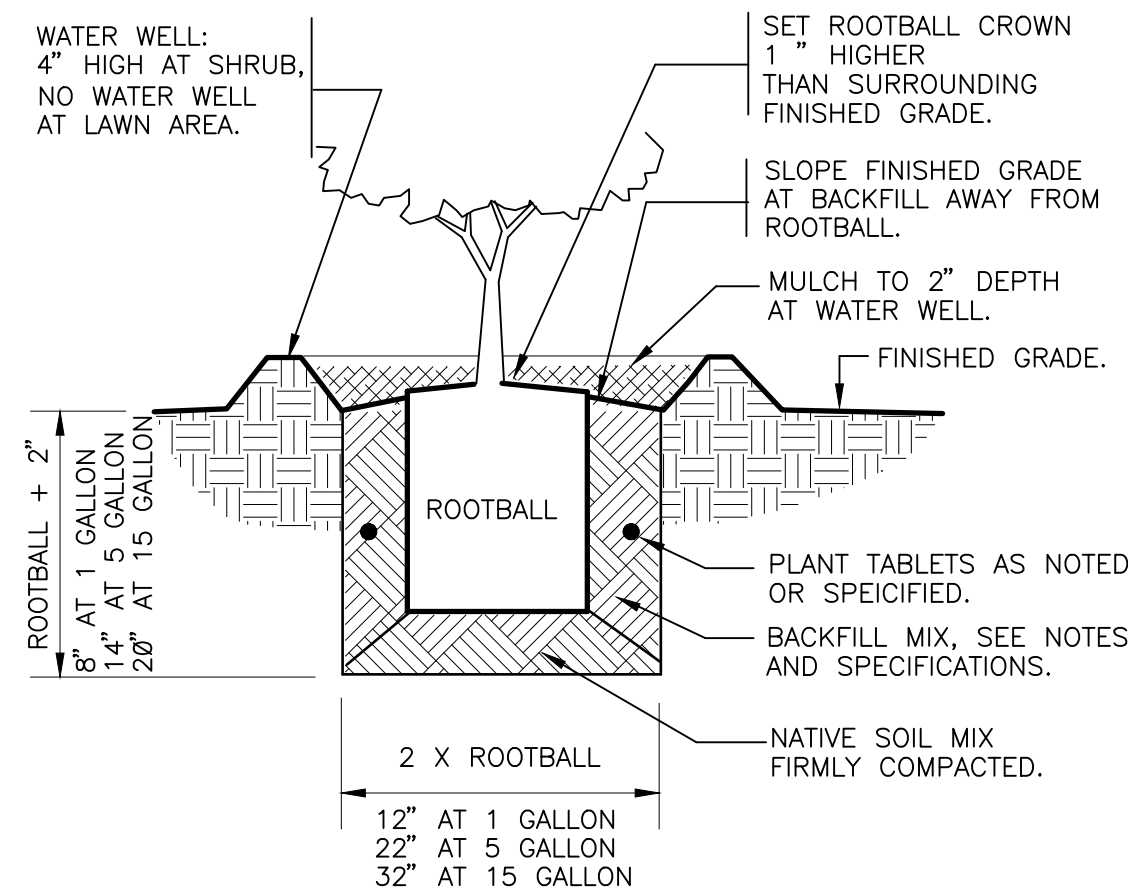
**Dreywood**

OWNER / BUILDER:  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
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DATE  
11/21/2021  
SCALE  
1/4" = 1'-0"  
JOB NO.  
1777 PLAN MADERA  
SHEET

**S3**

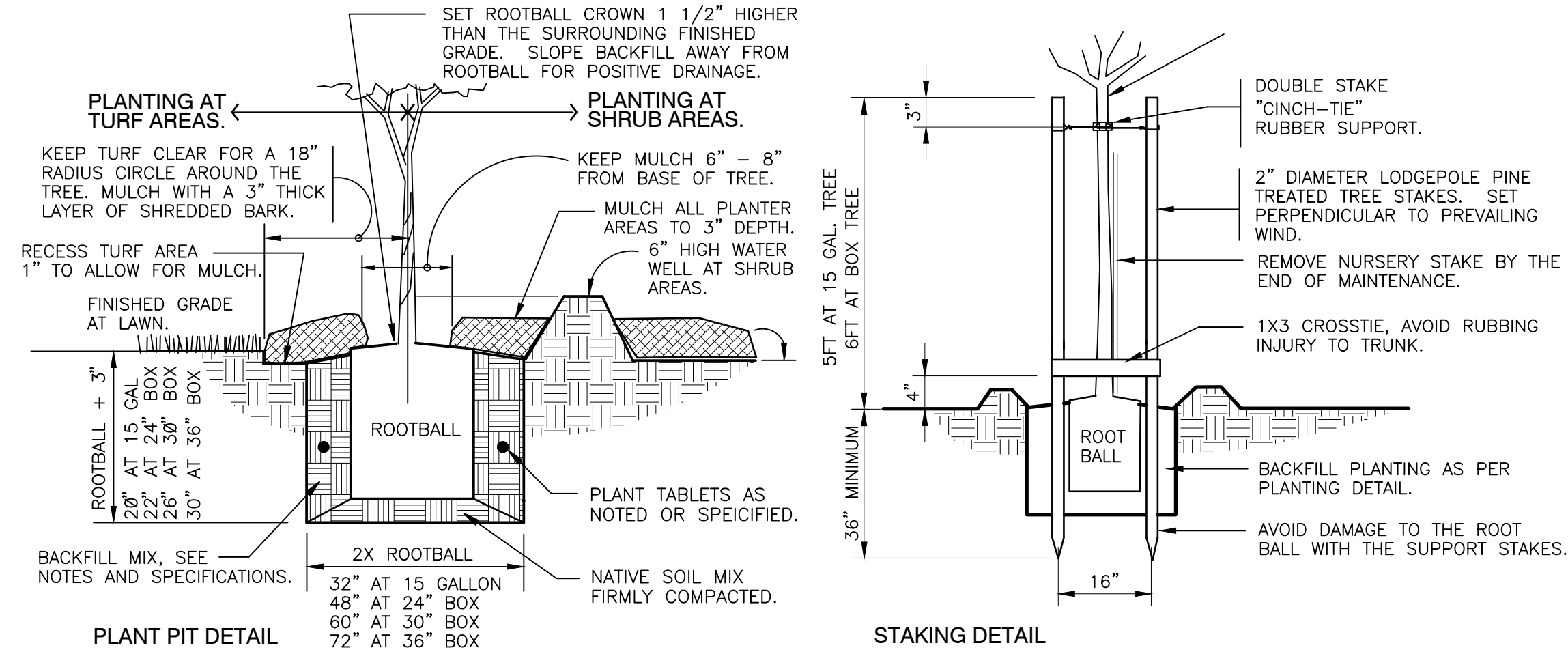




## 1 SHRUB PLANTING

1" 1'-0"

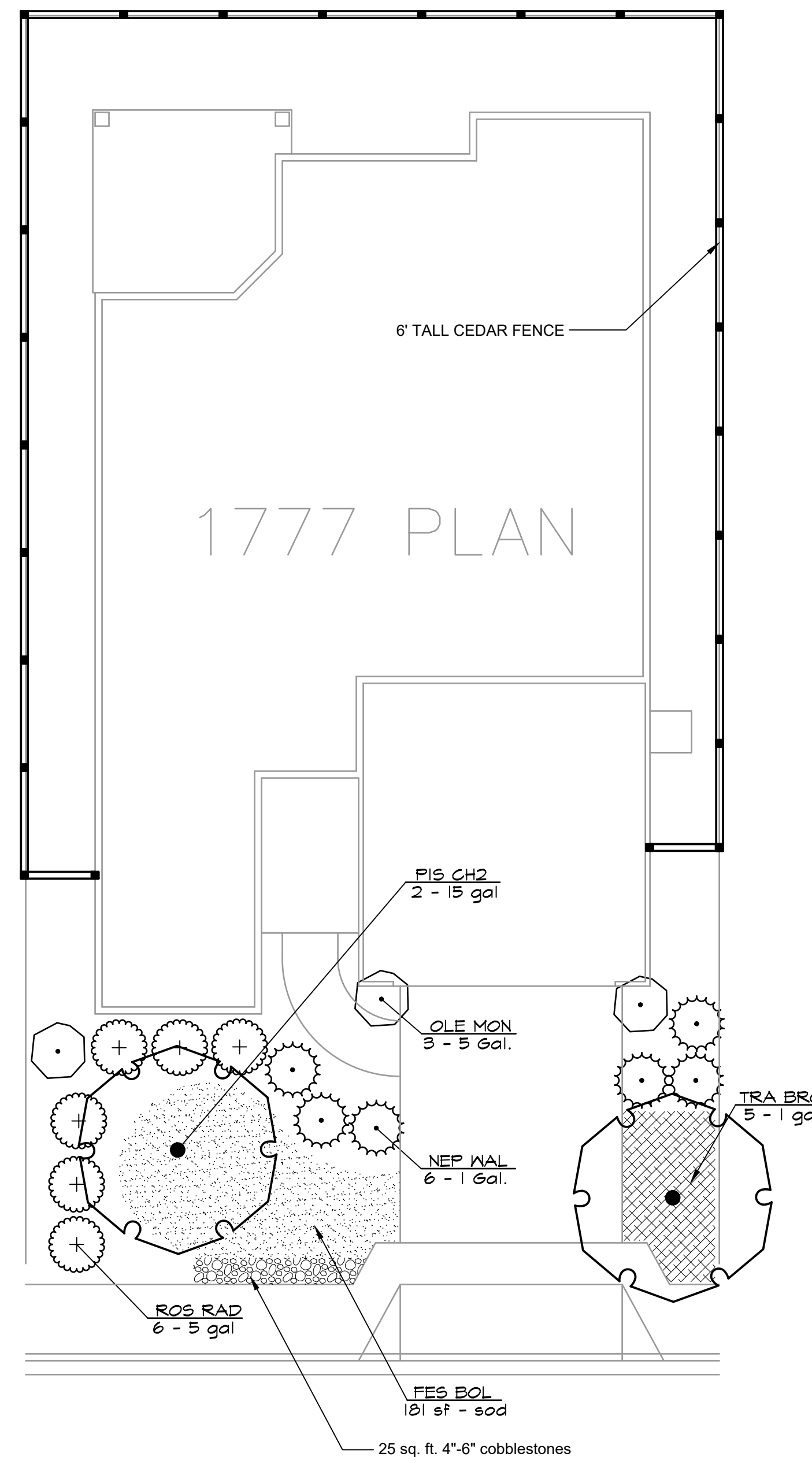
P-CO-07



## 2 TREE DOUBLE STAKE PLANTING

1" 1'-0"

FX-PL-FX-TREE-11



### PLANT SCHEDULE PLAN 1777

TREES	BOTANICAL / COMMON NAME	CONT	GAL	SIZE	MUGOLS	QTY	
	<p>Pistacia chinensis / Chinese Pistache</p> <p>Alternate tree species between Chinese Pistache, Drake Elm, Aleppo Pine, or Desert Museum Palo Verde to provide visual variation in the subdivision.</p>	15 gal	1"		.3	2	
SHRUBS	BOTANICAL / COMMON NAME	CONT	MUGOLS	FIELD3	MUGOLS	QTY	
	Nepeta x faassenii 'Walkers Low' / Walkers Low Catmint	1 Gal.	.3			6	
	Olea europaea 'Montra' / Little Olive	5 Gal.	.3			3	
	Rosa x 'Knockout' TM / Rose Patio Tree Rose	5 gal		.4		6	
GROUND COVERS	BOTANICAL / COMMON NAME	CONT	FIELD2	FIELD3	MUGOLS	SPACING	QTY
	Festuca x 'Bolero Plus' / Bolero Fescue	sod	.8				181 sf
	Trachelospermum asiaticum 'Bronze Beauty' / Bronze Beauty Asian Jasmine 1'-2' tall and 4'-5' spread.	1 gal.			.3	48" o.c.	5

NOTE:  
1. SEE NOTES ON SHEET L3 FOR ADDITIONAL INFORMATION

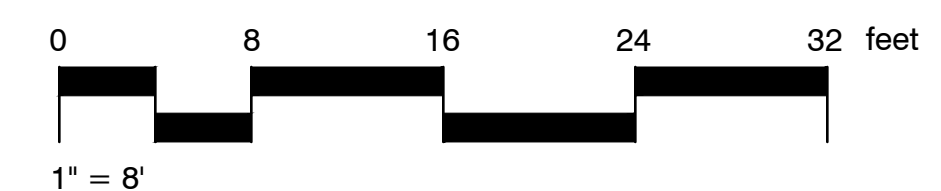
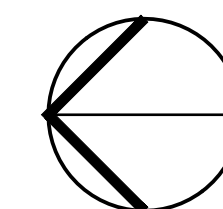
### Model Water Ordinance Calculations

City of Madera		51.50 ETo (inches/year)	
Square Ft. Overhead Spray	0		
Square Ft. Drip	701		
MAWA = [(ETo - Eppt) x (0.62)] x [(0.55 x LA) + ((1.0 - 0.55) x SLA)]			
11,713.01 Gallons			
1,565.81 Cubic Feet			
15.66 HCF			
0.04 Acre Ft			
0.01 Million Gallons			
Hydrozone	Type of Irrigation	Plant Water Use	Plant Factor
1. Shrub Planting	Drip	Low	0.30
		Hydrozone Area	IE
		701	0.81
			260
Results: MAWA= 11,713			
ETWU= 7.888 ETWU Complies with MAWA			

"I HAVE COMPLIED WITH THE CRITERIA OF THE WATER EFFICIENCY LANDSCAPE REQUIREMENTS ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE DESIGN PLAN"

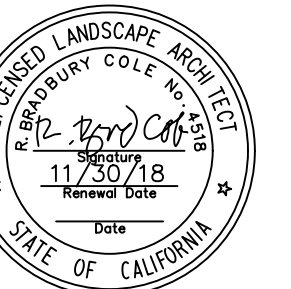
*R. Brad Cole* 02/28/2022  
SIGNATURE DATE

## MODEL 1777 PLANTING PLAN



**BRAD COLE**  
Landscape Architect  
CA #4518  
371 W San Ramon Ave.  
Fresno, CA 93704  
Ph. (559) 284-4934  
bradc559@gmail.com

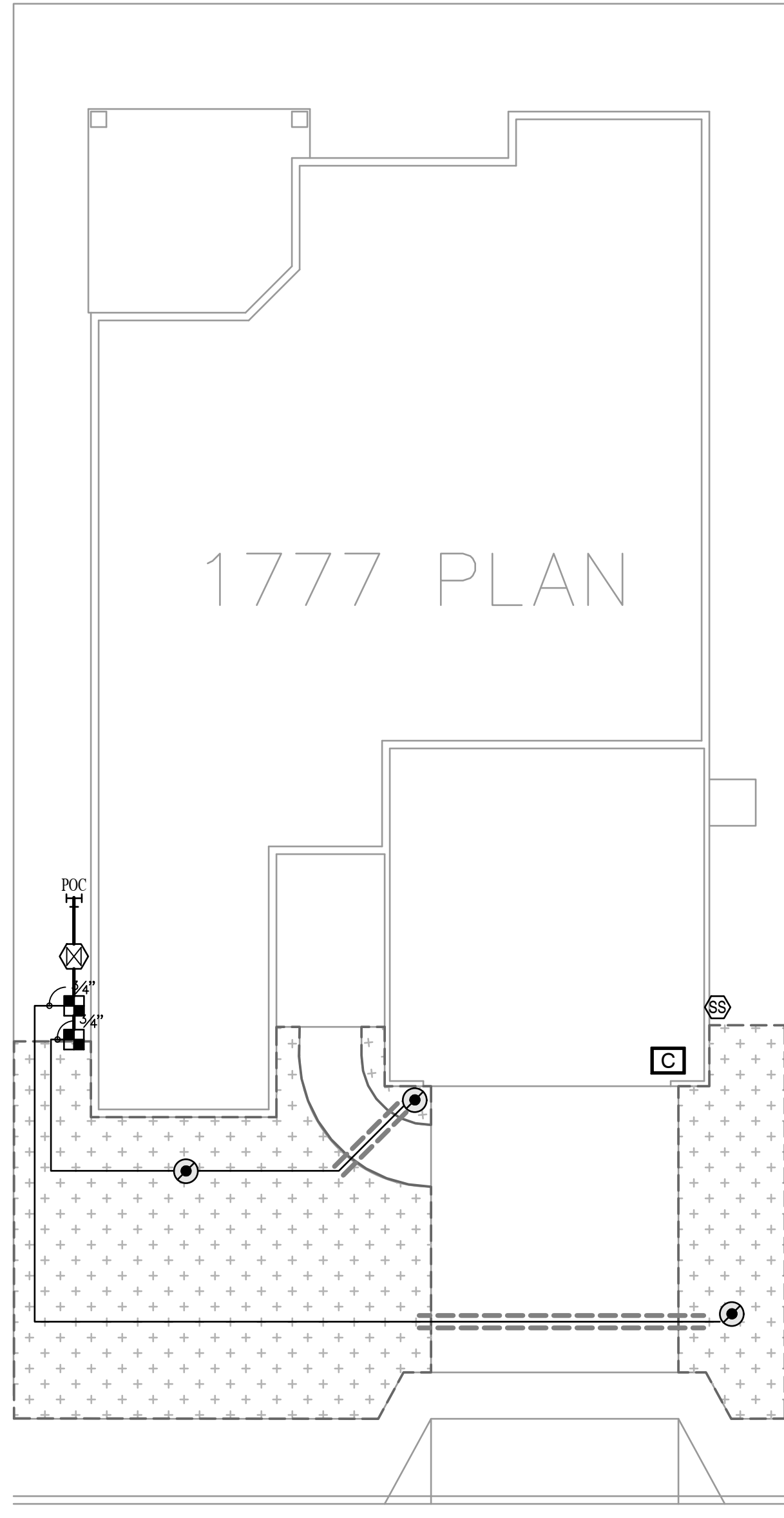
OWNER / BUILDER:  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.  
5320 E. PINE AVENUE  
Fresno, CA 93727  
Phone: (559) 275-5200  
Email: jcrowncrownliving.com



Revision	Notes	Date	CKBY

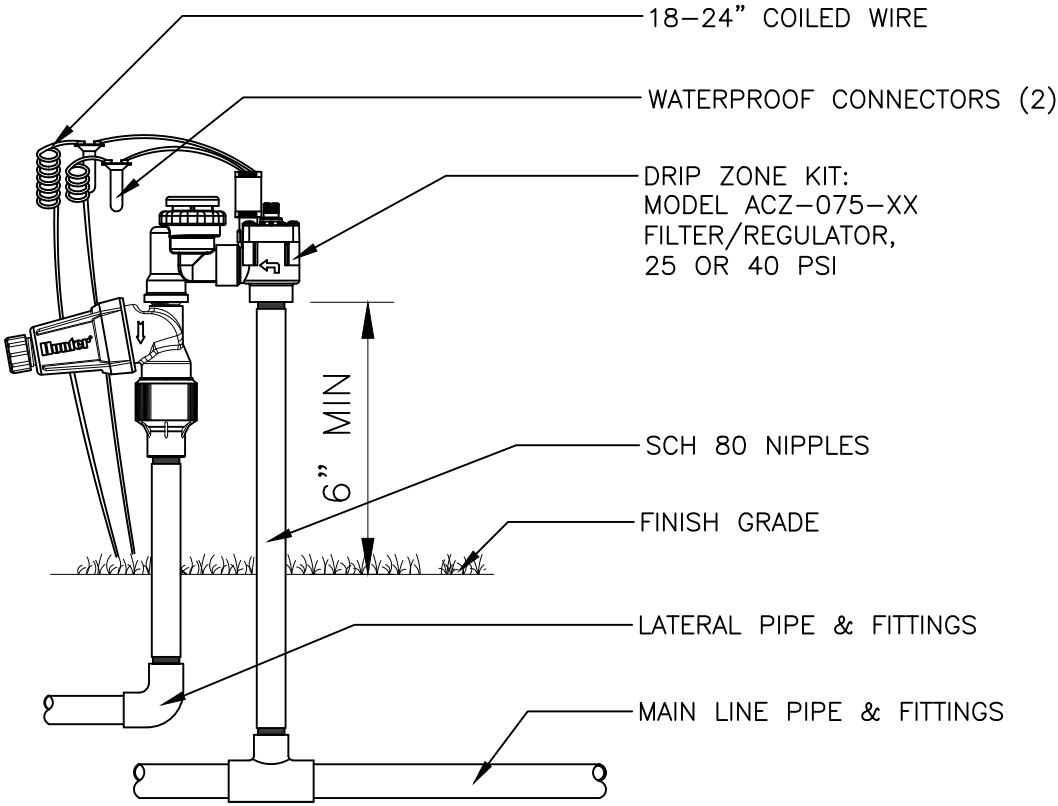
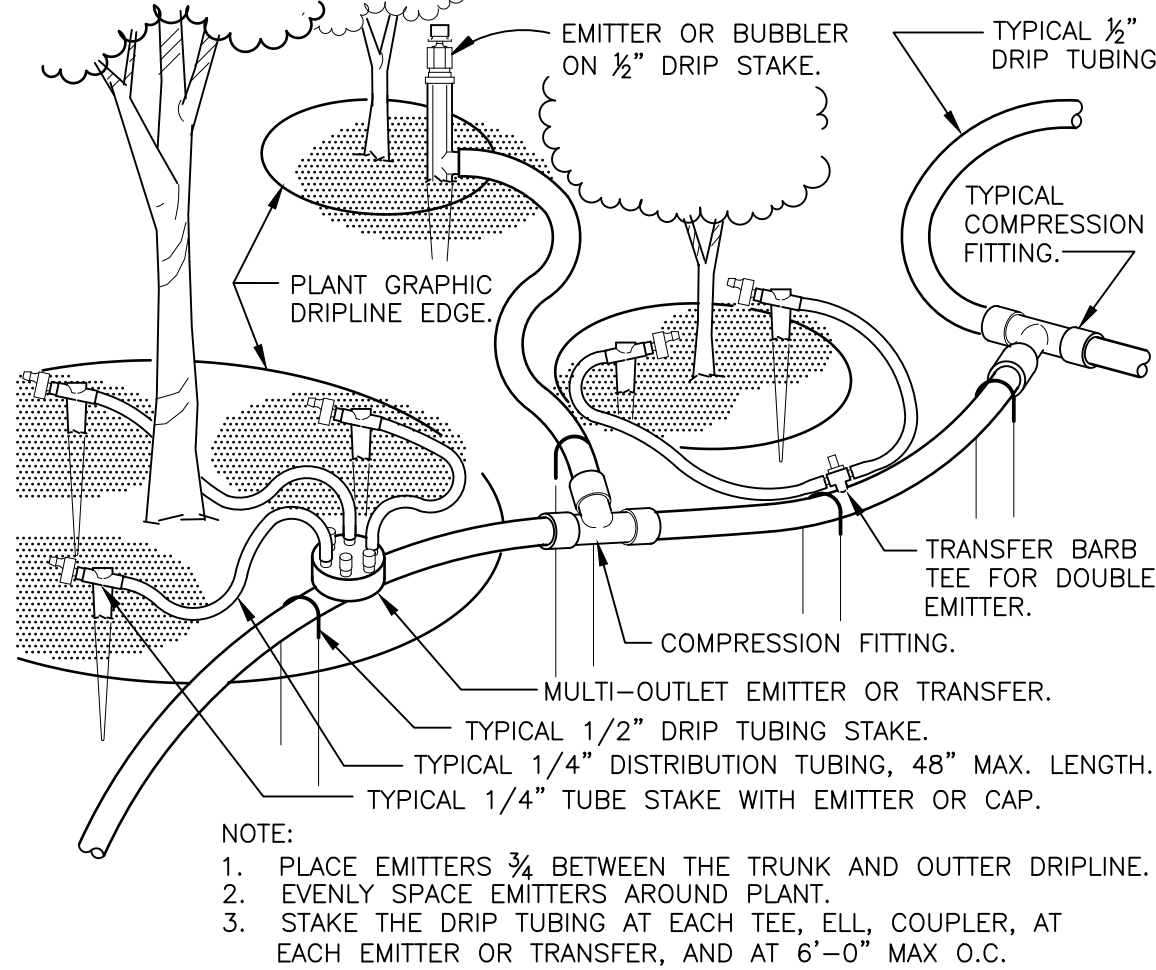
Date:	04-20-2022
Scale:	as noted
Drawn By:	B. Cole
Job Number:	02-22-04
Sheet:	L1





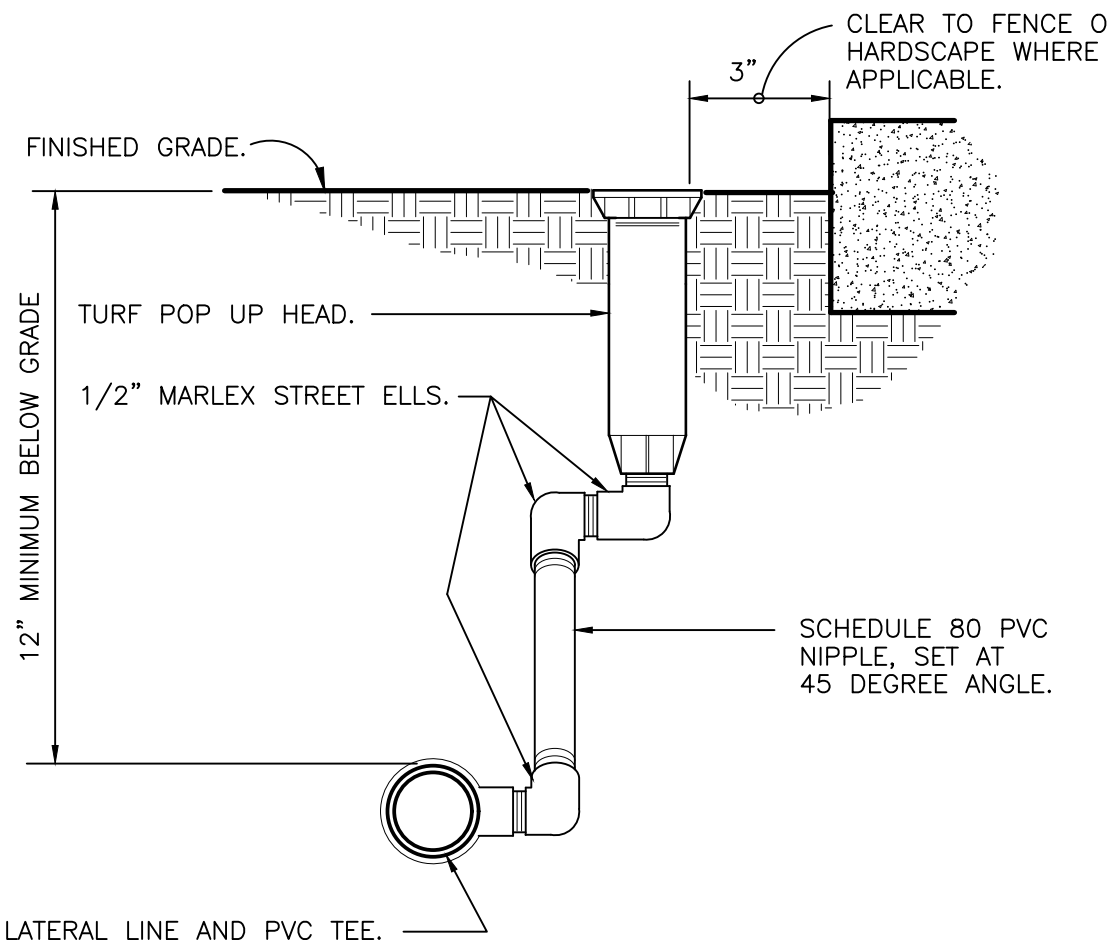
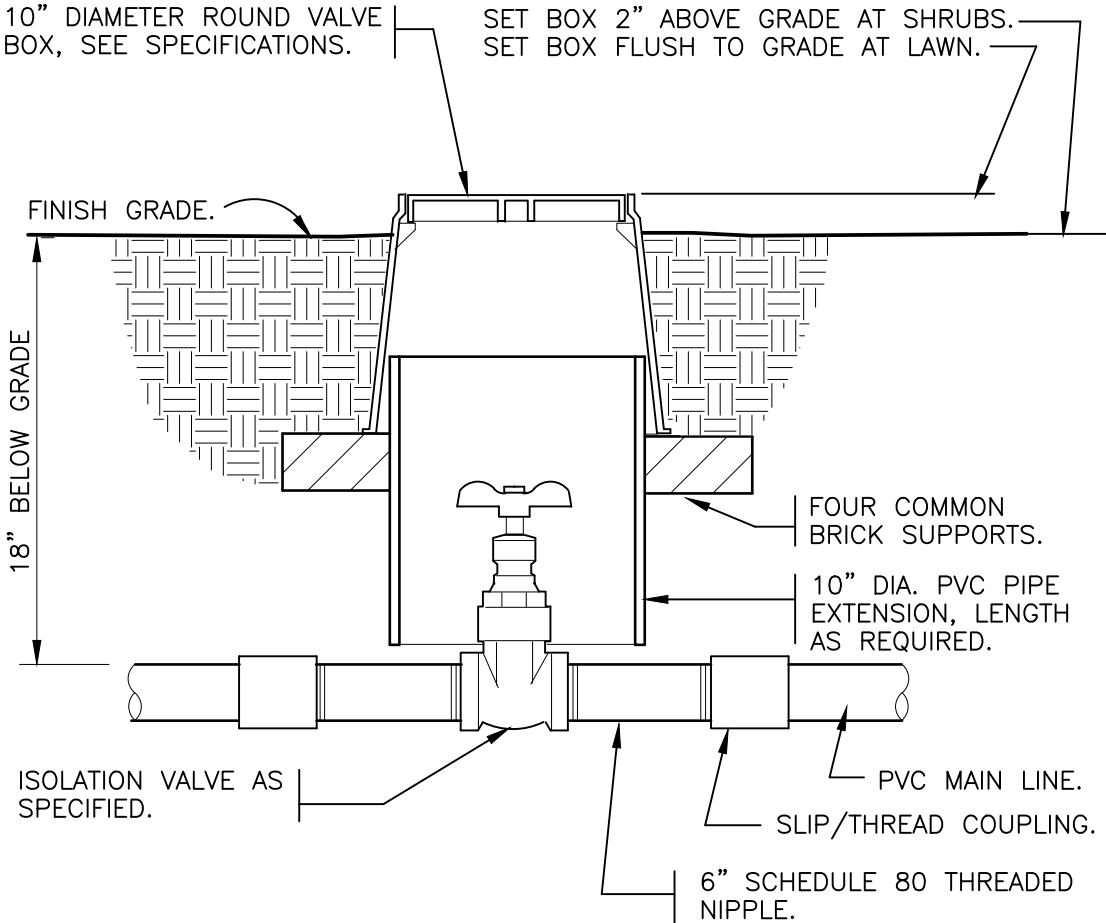
IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY
	Netafirm LVCZS8010075-HF Pre-Assembled Control Zone Kit, with 1" Series 80 Control Valve, 3/4" Disc Filter, and High Flow Pressure Regulator 4.5GPM to 17.6GPM.	2
	Pipe Transition Point	3
	Area to Receive Drip Emitters Hunter HE-B (2) Point Source Drip Emitter with Self Piercing Barb. Color coded emitters for flow rates of 0.5, 1.0, 2.0, 4.0, and 6.0 GPH. Can be inserted into 1/2" and 3/4" tubing and have pressure compensating from 15-50 PSI. Optional diffuser cap (HE) available. Emitter Notes: 60HE-B emitters (2 assigned to each 1 gal plant) 60HE-B emitters (5 assigned to each 15 gal plant) 60HE-B emitters (3 assigned to each 5 gal plant)	700.9 s.f.
	Nibco T-113 Class 125 bronze gate manual control valve with wheel handle, same size as mainline pipe diameter at valve location. Size Range - 1"	1
	Hunter HC-6 6 station controller with Wi-Fi connection	1
	Hunter Solar-Sync Solar, rain freeze sensor with outdoor interface, connects to Hunter PCC, Pro-C, and I-Core Controllers, install as noted. Includes 10 year lithium battery and rubber module cover, and gutter mount bracket. Wired.	1
	Irrigation Lateral Line: CPVC Schedule 40	103.4 l.f.
	Irrigation Mainline: CPVC Schedule 40	8.4 l.f.
	Pipe Sleeve: PVC Class 315 SDR 13.5 Valve Callout	24.2 l.f.
	Valve Number Valve Flow Valve Size	



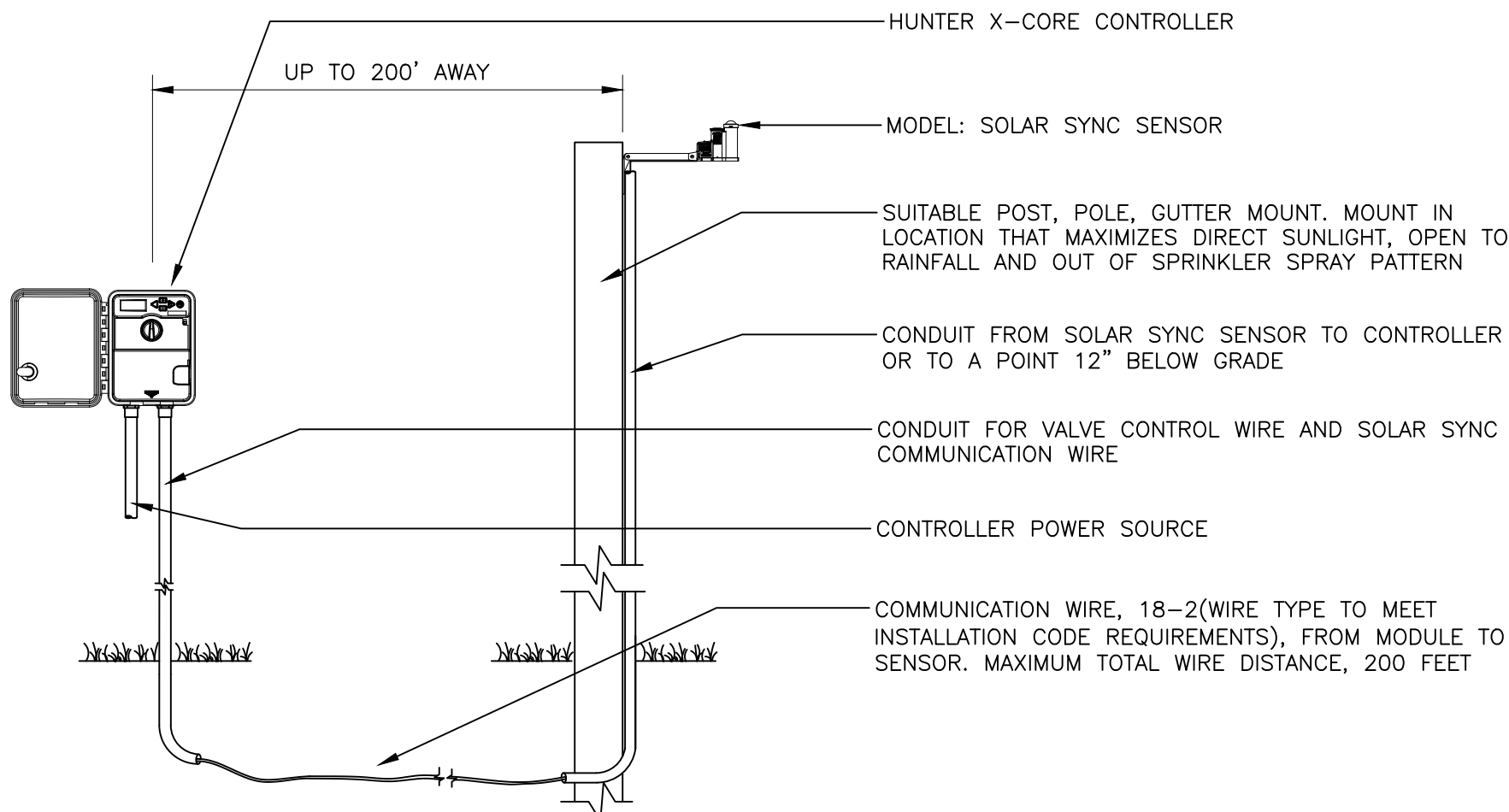
1 TYPICAL DRIP TUBING 1 1/2" = 1'-0" FX-IR-FX-DRIP-01

2 ACZ-075 VALVE WITH SCH 80 NIPPLES 1 1/2" = 1'-0" FX-IR-HUNT-VALV-55



3 BRASS ISOLATION VALVE 1 1/2" = 1'-0" FX-IR-FX-ISOV-01

4 TURF SPRAY MARLEX ASSEMBLY 3" = 1'-0" FX-IR-FX-HEAD-04



5 SOLAR SYNC SYSTEM WITH X-CORE 1" = 1'-0" FX-IR-HUNT-SENS-24

"I HAVE COMPLIED WITH THE CRITERIA OF THE WATER EFFICIENCY LANDSCAPE REQUIREMENTS ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE IRRIGATION DESIGN PLAN"

SIGNATURE DATE

IRRIGATION PLAN

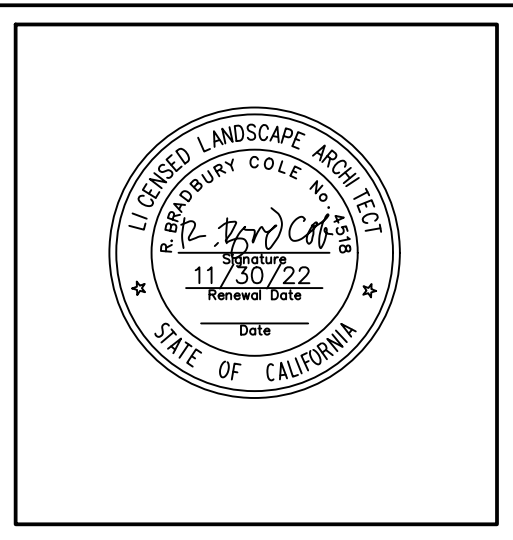


811  
Know what's below.  
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**Hunter®**

**BRAD COLE**  
Landscape Architect  
CA #4518  
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\*  
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Phone: (559) 275-5200  
Email: jcrown@crownliving.com



Revision	Notes	Date	CKBY

Date:	02/27/2022
Scale:	as noted
Drawn By:	B. Cole
Job Number:	22-02-04
Sheet:	L2



Model Efficient Landscape Ordinance (MWELO) Notes:

1. These plans have been prepared to be in compliance with the State–mandated Water Model Efficient Landscape Ordinance. (MWELO). The following notes reference the requirements of the ordinance and the responsibility of the contractor to install the landscape per plans, details, and notes; provide the required documentation to the local agency and provide follow–up corection as required to meet the water efficiency requirements.
2. The landscape contractor shall coordinate with the local jurisdiction to determine who will review and receive the MWELO documentation that is required to be provided by the contractor.

Landscape Documentation Package

1. Project information and signatures– The signature of the landscape architect on these landscape plans is applicable to the statement– "I agree to the best of my ability to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Document Package".
2. Water Efficient Landscape Worksheet– See MAWA and ETWU, as well as hydro–zone information table on sheet P–4.
3. Soil management report– See Notes and requirements as described below.
4. Landscape Design Plan – See Planting Plans and details contained within this set of documents. Standard details per the city of Kingsburg when referenced in this set of documents are considered part of the documents.
5. Irrigation Design Plan – See irrigation plans and details contained within this set of documents.
6. Grading Design Plan – To be provided by the civil engineer – See civil engineer’s plans.

Soil Management Report

1. After mass grading the contractor shall provide for a soil analysis that shall comply with the requirements provided below. The analysis report is to be forwarded to the landscape architect, owner, and governing jurisdiction.
2. Soil samples shall be collected in accordance with the laboratory protocol including adequate sampling depth.
3. At least one sample shall be provided for each 20,000 sf of landscape unless otherwise noted by the landscape architect. Samples shall be taken from different areas of the site as directed by the landscape architect.
4. The Soil Analysis shall include the following:
  - Soil Texture
  - Infiltration Rate (determined by lab test or soil texture infiltration rate table).
  - Ph
  - Total soluble salts
  - Sodium
  - Percent organic mater
  - Recommendations for soil amendments, fertilizer, etc. for the type of landscape planting proposed.
5. Soil Analysis shall be conducted by an approved soil testing lab. The following are acceptable (but not required) labs:  
Sunland Analytical, 11419 Sunrise Gold Circle, Suite 10, Rancho Cordova, CA 95742, (916) 852–8557, [www.sunland-analytical.com](http://www.sunland-analytical.com)  
Soil and Plant Lab, 1101 S. Winchester Blvd, Suite G–173, San Jose, CA 93128, (408) 727–0330, [www.soilandplantlaboratory.com](http://www.soilandplantlaboratory.com)  
Soil and Plant Lab, 4741 East Hunter Ave. Suite A, Anaheim, CA 92807, (714) 282–8777, [www.soilandplantlaboratory.com](http://www.soilandplantlaboratory.com)
6. The recommendations of the soil analysis are to the implemented in the landscape soil preparation. The contractor shall provide documentation prior to planting, verifying that recommendations have been implemented to the landscape architect and the governing jurisdiction.

Landscape Design (Planting)

1. The landscape has been designed and plants selected to be compliant with the requirement of the MWELO. The contractor shall not make changes without written approval by the landscape architect. If the contractor deviates from the plan and it is not acceptable to the landscape architect, the contractor will be required to make changes at his/her expense to bring the landscape into compliance.
2. Plants have been placed in 'hydrozones' of similar water use requirements. The extent of the

- hydrozones are delineated by the groups of irrigation circuits as listed in the Hydrozone Table, included with these plans.
3. Turf is not allowed on slopes greater than 25% (4:1)
  4. Mulch is required in all planting areas except for turf, creeping or rooting groundcovers, direct seeding applications, cobble areas, or other areas specifically noted on the plans. The mulch shall be minimum of 3", but the depth as listed in the planting legend shall take priority.
  5. Mulch shall be Gorilla Hair, natural in color. Available at Rosenbalm’s Rockery , 1393 So. Golden State Blvd. Madera, CA 93637 (559) 673–1629
  6. Soil amendments shall be incorporated per the soil report and shall achieve a friable condition.
  7. For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top 6 inches of soil are exempt from adding compost and tilling.
  8. Compost shall be derived from green material consisting of chipped, shredded, or ground vegetation or clean, processed, recycled wood products or a Class A, exceptional quality biosolids composts, as required by the United States Environmental Protection Agency (EPA), 40 CFR, Part 503c regulations or a combination of green material and biosolids compost. The compost shall be processed or completed to reduce weed seeds, pathogens, and deleterious material, and shall not contain paint, petroleum products, herbicides, fungicides, or other chemical residues that would be harmful to plant or animal life. Other deleterious material, plastic, glass, metal, or rocks shall not exceed 0.1 percent by weight or volume.A minimum internal temperature of 57 degrees C shall be maintained for at least 15 continuous days during the composting process. The compost shall be thoroughly turned a minimum of 5 times during the composting process and shall go through a minimum 90–day curing period after the 15–day thermophilic compost process has been completed. Compost shall be screened through a maximum 9.5–mm screen. The moisture content of the compost shall not exceed 35 percent. Compost products with a higher moisture content may be used provided the weight of the compost is increased to equal the compost with a moisture content of 35–40 percent. Moist samples of compost on an as–received basis shall be dried in an oven at a temperature between 105 degrees C and 110 degrees C until a constant dry weight of the sample is achieved. The percentage of moisture will be determined by dividing the dry weight of the sample by the moist weight of the sample and then multiplying by 100. Compost will be tested for maturity and stability with a Solvita test kit. he compost shall measure a minimum of 6 on the maturity and stability scale
  8. The signature on the landscape plans is applicable to the statement– "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan."

Grading Design

1. See the grading and drainage plan as prepared by the civil engineer. The landscape contractor shall maintain the drainage patterns as specified in the grading plans.
2. The site has been graded so that irrigation and normal run–off remains within the property lines, unless otherwise noted on the grading plans.
3. The landscape areas may include bioswales or filtration swales. The landscape contractor shall install these per the requirements of the civil engineer’s plans and details with planting per these plans. Any modifications must be approved in writing by the civil engineer and the landscape architect.

Irrigation Design

1. The irrigation water service shall be on a separate meter than the domestic service.
2. The irrigation controller (clock) shall be a 'smart' controller using evapotranspiration or soil moisture sensor data to automatically adjust run times based on landscape area water needs.
3. The irrigation system has been designed for each emission device to operate within the manufacturer’s recommended pressure range for optimal performance. If the water pressure at the service connection is different than what is shown on the plans the contractor shall notify the landscape architect prior to the installation of the irrigation system. Contractor shall check available water pressure before any irrigation installation.
4. Pressure regulators or booster pumps shall be installed if needed to modify available pressure for the optimal performance of the irrigation emission devices. See specification on the plans and refer to note #3 above.
5. A rain sensor shall be installed and tied to the controller – See plan for selection.
6. Gate valves(s) shall be installed directly downstream of the service connection(s).
7. An approved backflow preventer shall be installed at the irrigation service connection(s). See plan.
8. Check valves shall be installed in all heads at the low points of the circuit where water within the piping may drain out of the head when the system is done operating – See plan.
9. The irrigation circuits have been designed to correspond to the planting hydrozones. Changes to the irrigation layout and types of emission devices are no to be made without the written consent of the landscape architect.
10. The overall irrigation system has been designed to correspond to the planting hydrozones. Changes to the irrigation layout and types of emission devices are not to be made without the written consent of the landscape architect.
11. The irrigation system has been designed so that each circuit has matched precipitation rates

- within the circuit and high distribution uniformity. The contractor shall not substitute without written consent of the landscape architect.
12. Swing joints shall be installed on all pip–up heads per the plans and details.
  13. Areas less than 8’ in width have been irrigated with subsurface, drip, or low volume irrigation. If construction site modifications reduce spray irrigated planter areas less than 8’ contact the landscape architect.
  14. Overhead spray irrigation heads and nozzles are not allowed within 24” of non–permeable paving that drains into landscape before entering the storm drain system.
  15. Sloped planting areas greater than 25% (4:1) have been designed with irrigation whose precipitation rate does not exceed .75"/hour or another means has been employed and described on the plans.
  16. Trees may be designed with a separate deep root bubbler system – See the plans.
  17. The signature on the irrigation plans is applicable to the statement – " I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan."

Irrigation Schedule

1. The landscape contractor shall provide a base irrigation schedule and shall be submitted with certification of completion. Overhead irrigation shall be scheduled between 8:00 pm and 6:00 am unless otherwise noted on the plans or more strict water hours are required by the local jurisdiction.
2. The irrigation run times, length of run, and frequency of run times may need to be adjusted based on infiltration rate of the soil. Slope. Etc. to avoid run–off.
3. The specific parameters of the site conditions are to be input into the 'smart' controller.

Irrigation Audit

1. If needed, all irrigation audits shall be conducted by a certified landscape irrigation auditor.
2. The irrigation system shall be audited after it has been installed and 'fine–tuned'. The audit report is to be included with the Certificate of Completion and shall include, but not limited to:
  - a. System test for distribution uniformity
  - b. Recommendations for any adjustments that may be needed.
  - c. Preparation of an irrigation schedule.The contractor shall make the adjustments as recommended in the irrigation audit.

Certificate of Completion

1. The contractor shall provide to the governing jurisdiction and the landscape architect a Certificate of Completion that at a minimum includes the following:
  - a. Date of completion and date of the certificate.
  - b. Project Name and Address (or specific location)
  - c. Project Applicant name, telephone number, and mailing address.
2. The landscape contractor shall sign a statement that says the landscape and irrigation system have been installed per the approved Landscape Document Package (plans, details, notes, and calculations as contained within this plan set.)
3. If there have been modifications to the layout and/or design of the landscape and irrigation system, the contractor shall include with the Certificate of Completion a set of as–built plans or record drawings that reflect the modifications. The modified landscape and irrigation must remain in compliance with the WELO.
4. The Certificate of Completion shall include the initial irrigation audit that shows the irrigation is in compliance with the irrigation efficiency requirements for WELO (see audit information within this set of notes). The soil analysis report and recommendation and verification that the recommendations have been implemented shall also be submitted, if not included with the Landscape Documentation Package.

BRAD COLE

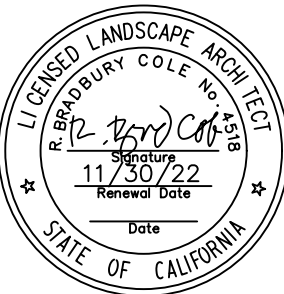
Landscape Architect  
CA #4518  
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Ph. (559) 284-4934  
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OWNER / BUILDER:  
**JOSEPH CROWN**  
CONSTRUCTION & DEVELOPMENT, INC.

5320 E. PINE AVENUE  
Fresno, CA 93727

Phone: (559) 275-5200  
Email: jcrowncrownliving.com



Revision	Notes	Date	CKBY																	



Know what's below.  
Call before you dig.

NOTES

Date:	02-28-2022
Scale:	as noted
Drawn By:	B. Cole
Job Number:	N/A

Sheet:

L3



# FINAL MAP OF TRACT NO. 19-S-03 IVEYWOOD I

## RECORD TITLE INTEREST STATEMENT

THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND WITHIN THIS SUBDIVISION, HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND OFFER FOR DEDICATION FOR PUBLIC USE THE RIGHT-OF-WAY FOR ROAD PURPOSES; OUTLOT A, AND EASEMENTS SPECIFIED ON SAID MAP AS INTENDED FOR PUBLIC USE FOR THE PURPOSES SPECIFIED THEREIN.

JOSEPH CROWN CONSTRUCTION AND DEVELOPMENT, A CALIFORNIA CORPORATION

BY: JOSEPH CROWN, PRESIDENT

DATE

1-21-21

A PLANNED DEVELOPMENT  
BEING A SUBDIVISION OF A PORTION OF  
THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 11 SOUTH,  
RANGE 18 EAST, MOUNT DIABLO BASE & MERIDIAN  
IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA  
SURVEYED AND PLATTED IN OCTOBER 2018, BY LANDESDSIGN CONSULTING

CONSISTING OF FOUR SHEETS  
SHEET ONE OF FOUR SHEETS

## LEGAL DESCRIPTION

PARCEL 1:

PARCELS 1, 2 AND 3 OF PARCEL MAP 1073, ACCORDING TO THE MAP THEREOF RECORDED AUGUST 5, 1977 IN BOOK 23 OF MAPS, AT PAGES 92 AND 93, MADERA COUNTY RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION CONVEYED TO THE COUNTY OF MADERA IN DEED RECORDED MARCH 9, 1977 IN BOOK 1316 OF OFFICIAL RECORDS, PAGE 636, MADERA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL OIL, GAS, OTHER HYDROCARBON SUBSTANCES AND MINERALS OF ANY KIND OR CHARACTER, IN, ON, OR THEREUNDER, AS RESERVED IN DEED(S) OF RECORD.

APN: 008-180-001, 002 AND 003

PARCEL 2:

PARCEL B OF LOT LINE ADJUSTMENT NO. 2020-02 PERFECTED BY GRANT DEED RECORDED JUNE 12, 2020 AS DOCUMENT NO. 2020013216, OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

PARCEL 4 OF PARCEL MAP 1073, ACCORDING TO THE MAP THEREOF RECORDED AUGUST 5, 1977 IN BOOK 23 OF MAPS AT PAGES 92 AND 93, MADERA COUNTY RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION CONVEYED TO THE COUNTY OF MADERA IN DEED BOOK 1316 PAGE 636, MADERA COUNTY RECORDS

TOGETHER WITH A PORTION OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF PARCEL 4 OF PARCEL MAP 1073 RECORDED AUGUST 5, 1977 IN BOOK 23 OF MAPS AT PAGES 92 AND 93, MADERA COUNTY RECORDS; THENCE 38' 05' 30" EAST ALONG THE WESTERLY LINE OF SAID PARCEL 4; A DISTANCE OF 437.65 FEET TO THE MOST EASTERLY CORNER OF THAT PORTION CONVEYED TO THE MADERA UNIFIED SCHOOL DISTRICT, RECORDED JANUARY 7, 1991 DOCUMENT NO. 491 TO THE TRUE POINT OF BEGINNING.

THENCE NORTH 51°49'57" WEST ALONG THE NORTHEASTERLY LINE OF THAT PORTION CONVEYED TO THE MADERA UNIFIED SCHOOL DISTRICT, RECORDED JANUARY 7, 1991 DOCUMENT NO. 491 SHOWN ON RECORD OF SURVEY IN BOOK 37 OF MAPS AT PAGE 125, MADERA COUNTY RECORDS, A DISTANCE OF 1,265.48 FEET TO THE INTERSECTION WITH THE WESTERLY LINE OF SAID 63.84 ACRE PARCEL; THENCE NORTH 62° 43' 45" EAST ALONG THE WESTERLY LINE OF SAID 63.84 ACRE PARCEL, A DISTANCE OF 23.63 FEET; THENCE NORTH 57° 13' 49" EAST ALONG THE WESTERLY LINE OF SAID 63.84 ACRE PARCEL, A DISTANCE OF 403.36 FEET; THENCE NORTH 67° 19' 57" EAST ALONG THE WESTERLY LINE OF SAID 63.84 ACRE PARCEL, A DISTANCE OF 171.19 FEET; THENCE NORTH 56° 49' 44" EAST ALONG THE WESTERLY LINE OF SAID 63.84 ACRE PARCEL, A DISTANCE OF 113.12 FEET; THENCE SOUTH 51° 54' 54" EAST A DISTANCE OF 978.10 FEET; TO A POINT ON A TANGENT CURVE, CONCAVED TO THE NORTHEAST HAVING A RADIUS OF 170.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 8° 34' 03", AND ARC LENGTH 25.42 FEET; TO A POINT ON A LINE NON-TANGENT TO SAID CURVE, A RADIAL LINE FROM SAID POINT BEARS NORTH 29° 31' 03" EAST; THENCE SOUTH 38°05'30" WEST, ALONG THE EASTERLY LINE OF SAID 63.84 ACRE PARCEL, A DISTANCE OF 662.73 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM ALL OIL, GAS, OTHER HYDROCARBON SUBSTANCES AND/MINERALS OF ANY KIND OR CHARACTER, IN, ON, OR THEREUNDER, AS RESERVED IN DEED(S) OF RECORD.

APN: 008-180-007

## THIS PROPERTY IS SUBJECT TO THE FOLLOWING

- EASEMENT(S) FOR CANAL AND DITCHES PURPOSE(S) AND RIGHTS INCIDENTAL THERETO, AS GRANTED TO J. FRIEDLANDER. RECORDED NOVEMBER 11, 1872, BOOK H, PAGE 456, OF DEEDS, FRESNO COUNTY RECORDS.
- THE FACT THAT THE OWNERSHIP OF SAID LAND DOES NOT INCLUDE RIGHTS OF ACCESS TO OR FROM THE STREET, HIGHWAY, OR FREEWAY ABUTTING SAID LAND, SUCH RIGHTS HAVING BEEN RELINQUISHED BY THE MAP OF SAID TRACT. AFFECTS ROAD 28.
- ANY DISCREPANCIES IN BOUNDARY OR AREA OR ANY RIGHTS WHICH MAY ARISE OR EXIST WHICH ARE DISCLOSED BY A MAP OF SURVEY ON SAID PROPERTY. RECORDED MARCH 20, 1991, BOOK 37, PAGE 125, OF MAPS.
- MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED "GRANT DEED", DATED NOVEMBER 11, 1993, EXECUTED BY THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, RECORDED DECEMBER 10, 1993, RECORDING NO. 9333722, OFFICIAL RECORDS AND DOCUMENT REFERENCES "THAT CERTAIN LICENSE (SECRETARY'S CONTRACT NO. 54530), DATED AUGUST 10, 1951 BY AND BETWEEN THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY AND PACIFIC TELEPHONE AND TELEGRAPH FOR THE PURPOSE OF WIRE CROSSING." REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.
- MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED "INDEMNITY AGREEMENT BETWEEN THE CITY OF MADERA AND TALIAFERRO SCAGLIOTTI, A CALIFORNIA GENERAL PARTNERSHIP" DATED NOVEMBER 21, 2005, EXECUTED BY THE CITY OF MADERA AND TALIAFERRO SCAGLIOTTI, A CALIFORNIA GENERAL PARTNERSHIP, RECORDED FEBRUARY 1, 2006, INSTRUMENT NO. 20060053202, OF OFFICIAL RECORDS. REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.
- COMMUNITY FACILITIES DISTRICT (CFD) 2005-01, RECORDED AS DOCUMENT NO. 2019024411 ON 10/18/2019
- COVENANT LANDSCAPE MAINTENANCE DISTRICT ZONE 51, RECORDED AS DOCUMENT NO. 2019017240 ON AUGUST 2, 2019

## SURVEYOR'S STATEMENT

THE SURVEY FOR THIS MAP WAS MADE BY ME OR UNDER MY DIRECTION AND IS TRUE AND COMPLETE AS SHOWN. THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE ONE YEAR OF THE DATE THIS MAP IS RECORDED, OR ANY TIME EXTENSION APPROVED BY THE CITY ENGINEER. THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF JOSEPH CROWN ON OCTOBER 2018. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.



BY: Mauro R. Weyant  
MAURO R. WEYANT, LS 7773

DATE  
11/18/2021

## CITY ENGINEER'S CERTIFICATE

I, KEITH B. HELMUTH, CITY ENGINEER OF THE CITY OF MADERA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP; THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF, THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.



BY: Keith B. Helmuth  
CITY ENGINEER, R.C.E. 50192

DATE  
3-17-21

## CITY SURVEYOR'S CERTIFICATE

I, CHRISTIAN M. BACH, CITY SURVEYOR OF THE CITY OF MADERA, HEREBY STATE THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT, PURSUANT TO THE PROVISIONS OF THE SUBDIVISION MAP ACT.



BY: Christian M. Bach  
CITY SURVEYOR, R.C.E. 18715

DATE  
2-5-21

## PLANNING COMMISSION CERTIFICATE

I, GARY CONTE, SECRETARY OF THE DEVELOPMENT REVIEW OF THE CITY OF MADERA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION SHOWN CONFORMS TO AND IS IN COMPLIANCE WITH THE APPROVED TENTATIVE MAP AND REQUIREMENTS IMPOSED BY THE MADERA CITY PLANNING COMMISSION AS A CONDITION TO THE ACCEPTANCE OF THE FINAL MAP. THIS FINAL TRACT MAP IS IN AGREEMENT WITH THE ADOPTED GENERAL PLAN FOR THE CITY OF MADERA.

BY: Gary Conte  
SECRETARY, CITY OF MADERA REVIEW COMMITTEE

DATE  
12/18/20

## CITY CLERK'S CERTIFICATE

I, ALICIA GONZALES, DO HEREBY CERTIFY THAT THE COUNCIL OF THE CITY OF MADERA, BY RESOLUTION NO. 21-21, ADOPTED ON FEBRUARY 17, 2021, APPROVED THE WITHIN MAP AND ACCEPTED ON BEHALF OF THE PUBLIC ALL PARCELS OF LAND AND EASEMENTS, SUBJECT TO IMPROVEMENTS, OFFERED FOR DEDICATION FOR PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION, AND APPROVED THE ABANDONMENT OF THOSE PUBLIC STREETS AND/OR PUBLIC EASEMENTS SHOWN ON THE MAP AND NOTED AS ABANDONED BY THE FILING OF THE MAP.

BY: Alicia Gonzales  
ALICIA GONZALES, CITY CLERK

DATE  
5/7/2021

## RECORDER'S CERTIFICATE

DOCUMENT NO. 2021019534 FEE \$ 90  
FILED THIS 18 DAY OF JUNE, 2021.  
AT 11:21 AM, IN VOLUME 66 OF PLATS, AT PAGES 65-68  
AND M.C.R., AT THE REQUEST OF FIDELITY NATIONAL TITLE COMPANY

MADERA COUNTY RECORDS  
REBECCA MARTINEZ, RECORDER

BY: Rebecca Martinez  
DEPUTY

CONFORMED COPY  
This document has not been  
compared with the original  
MADERA COUNTY CLERK-RECORDER

## NOTARY ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA  
COUNTY OF FRESNO

ON 1-21-2021 BEFORE ME, D. Walters, NOTARY PUBLIC, PERSONALLY APPEARED Joseph Crown WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE D. Walters

NAME D. Walters

COUNTY OF FRESNO

MY COMMISSION EXPIRES 3-26-2021

MY COMMISSION NUMBER 2188404

## RIGHT-TO-FARM STATEMENT

THIS MAP PROVIDES NOTICE TO EACH PURCHASER THAT THERE ARE PRE-EXISTING AGRICULTURAL OPERATIONS ON ADJACENT OR NEIGHBORING PARCELS, AND THAT THESE AGRICULTURAL OPERATIONS MAY EMIT NOISE, DUST, ODOR, AND MAY OCCASIONALLY USE FERTILIZERS, PESTICIDES AND HERBICIDES IN THE NORMAL PURSUIT OF AGRICULTURAL OPERATIONS. PURCHASERS OR RESIDENTS OF THIS SUBDIVISION SHALL NOT HAVE THE RIGHT TO LODGE COMPLAINTS FOR DUST, NOISE, ODOR, OR OTHER DESCRIPTIONS ASSOCIATED WITH THE TRADITIONAL AGRICULTURAL OPERATIONS SO LONG AS THOSE OPERATIONS ARE CONDUCTED IN ACCORDANCE WITH THE REGULATIONS, RULES AND GUIDELINES OF THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA, AND THE UNITED STATES OF AMERICA.

## SOILS CERTIFICATE

A SOILS REPORT WAS PREPARED FOR THIS MAP BY TECHNICON ENGINEERING SERVICES, INC. AND SIGNED BY SALVADOR ALVAREZ, PE 83957 AND DATED NOVEMBER 15, 2018, SAID REPORT HAS BEEN PLACED ON FILE WITH THE CITY OF MADERA.



# FINAL MAP OF TRACT NO. 19-S-03 IVEYWOOD I

A PLANNED DEVELOPMENT  
BEING A SUBDIVISION OF A PORTION OF  
THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 11 SOUTH,  
RANGE 18 EAST, MOUNT DIABLO BASE & MERIDIAN  
IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA  
SURVEYED AND PLATTED IN OCTOBER 2018, BY LANDEDESIGN CONSULTING

CONSISTING OF FOUR SHEETS  
SHEET TWO OF FOUR SHEETS

FOUND 3/4" IRON PIPE, ILLEGIBLE TAG,  
0.6" DOWN, AS PER PARCEL MAP NO.  
1073 RECORDED IN BOOK 23 AT PAGES  
92 AND 93 OF MAPS, M.C.R.

FOUND 3/4" IRON PIPE, DOWN 1.1", NO TAG, AS  
BEING THE CENTER QUARTER CORNER OF SECTION 19,  
TOWNSHIP 11 SOUTH, RANGE 18 EAST, M.D.B.&M., AS  
PER PARCEL MAP NO. 1073 RECORDED IN BOOK 23  
AT PAGE 92 AND 93 OF MAPS, M.C.R.

## BASIS OF BEARINGS

THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 19,  
TOWNSHIP 11 SOUTH, RANGE 18 EAST, MOUNT DIABLO BASE AND  
MERIDIAN, TAKEN TO BE N89°09'45"W AS PER GNSS OBSERVATION.

## NOTES

1. SET 3/4" IRON PIPE, 6" DOWN, TAGGED LS 7773 AT ALL  
LOT CORNERS AND ANGLE POINTS.
2. OUTLOT "A" IS DEDICATED IN FEE TO THE CITY OF MADERA  
FOR PARK PURPOSES, AND THE MAINTENANCE THEREOF, AND  
AS AN EASEMENT FOR PUBLIC UTILITY PURPOSES.
3. OUTLOT "B" IS FOR FUTURE DEVELOPMENT

## LEGEND

- ◆ MONUMENT FOUND AND ACCEPTED AS NOTED.
- ▲ NOW OFFERED FOR DEDICATION FOR PUBLIC STREET EASEMENT  
AND UTILITY EASEMENT PURPOSES.
- INDICATES RELINQUISHMENT OF DIRECT ACCESS RIGHTS.
- △ PREVIOUSLY DEEDED FOR ROAD PURPOSES, RECORDED ON  
MARCH 09, 1977 IN BOOK 1316 OF DEEDS, PAGE 636, AND  
PER PARCEL MAP 1073, BOOK 23 OF MAPS, PAGES 92 AND  
93, RECORDED AUGUST 05, 1977, MADERA COUNTY RECORDS.
- △ PREVIOUSLY DEDICATED FOR COUNTY ROAD PURPOSES,  
RECORDED AUGUST 3, 1977 IN BOOK 1343 OF DEEDS,  
PAGE 444, MADERA COUNTY RECORDS.  
IS ABANDONED AS PER THIS MAP PURSUANT TO SECTION  
66434(G) OF THE SUBDIVISION MAP ACT.
- △ PREVIOUSLY DEDICATED FOR DRAINAGE PURPOSES PER  
PARCEL MAP 1073, BOOK 23 OF MAPS, PAGES 92 AND 93,  
RECORDED AUGUST 05, 1977, MADERA COUNTY RECORDS.  
IS ABANDONED AS PER THIS MAP PURSUANT TO SECTION  
66434(G) OF THE SUBDIVISION MAP ACT.
- △ PREVIOUSLY DEDICATED FOR PUBLIC STREET PURPOSES,  
RECORDED SEPTEMBER 11, 2019, AS DOCUMENT NO.  
2019020617, MADERA COUNTY RECORDS.
- △ NOW OFFERED BY THIS MAP AS AN EASEMENT TO THE CITY OF  
MADERA FOR TEMPORARY CONSTRUCTION PURPOSES, AND THE  
MAINTENANCE THEREOF.
- △ NOW OFFERED BY THIS MAP AS AN EASEMENT TO THE CITY OF  
MADERA FOR STORM DRAIN AND ACCESS ROAD PURPOSES, AND THE  
MAINTENANCE THEREOF.
- ( ) RECORD DATA PER PARCEL MAP NO. 1073 RECORDED IN  
BOOK 23 AT PAGES 92 AND 93 OF MAPS, M.C.R.
- [ ] RECORD DATA PER LOT LINE ADJUSTMENT NO. 2020-02,  
CONVEYANCE PARCEL, RECORDED JUNE 12, 2020 AS DOCUMENT  
NO. 2020013214, M.C.R.
- { } RECORD DATA PER RECORD OF SURVEY, RECORDED IN  
BOOK 37 AT PAGE 125 OF MAPS, M.C.R.
- CALC. CALCULATED FROM RECORD DATA.
- LE LANDSCAPE EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC  
USE FOR ANY AND ALL MUNICIPAL PURPOSES.
- M.C.R. MADERA COUNTY RECORDS.
- PUE PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION  
FOR PUBLIC USE FOR ANY AND ALL MUNICIPAL PURPOSES,  
INCLUDING SIDEWALK.
- T.F. TIES ON FILE WITH THE MADERA COUNTY SURVEYOR.
- HEAVY SHADED BORDER INDICATES THE LIMITS OF THIS SUBDIVISION.

SCALE: 1"=100'

0 25 50 100 150 200  
SCALE IN FEET

FOUND 3/4" IRON PIPE, STAMPED 23954, DOWN  
0.1", AS PER PARCEL  
MAP NO. 1073  
RECORDED IN BOOK 23  
AT PAGES 92 AND 93  
OF MAPS, M.C.R.

FOUND BRASS CAP  
MONUMENT, FLUSH, AS  
BEING THE NORTHEAST  
CORNER OF SECTION 19,  
TOWNSHIP 11 SOUTH,  
RANGE 18 EAST,  
M.D.B.&M., AS PER T.F.

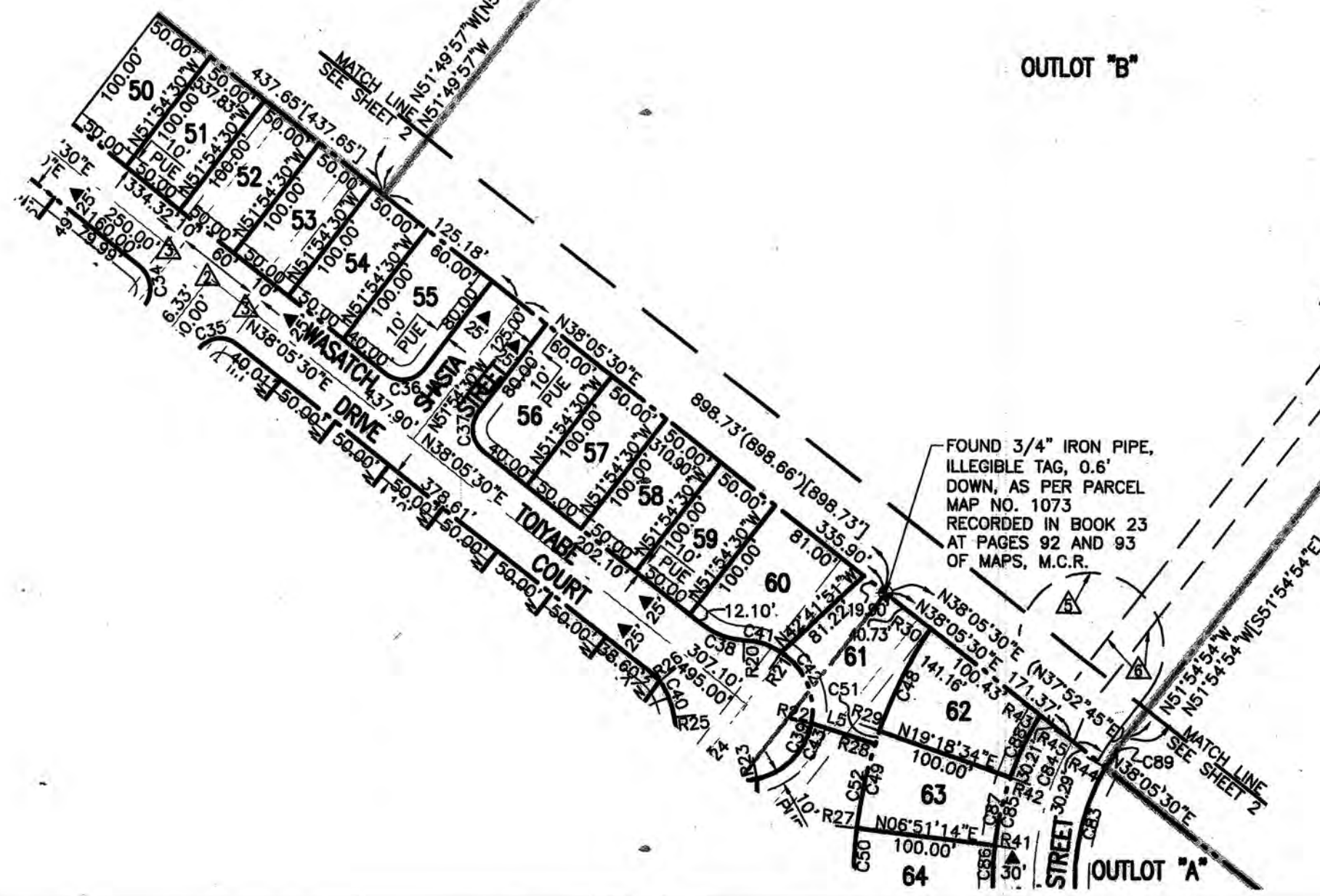
2634.76(2634.53')



# FINAL MAP OF TRACT NO. 19-S-03 IVEYWOOD I

A PLANNED DEVELOPMENT  
BEING A SUBDIVISION OF A PORTION OF  
THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 11 SOUTH,  
RANGE 18 EAST, MOUNT DIABLO BASE & MERIDIAN  
IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA  
SURVEYED AND PLATTED IN OCTOBER 2018, BY LANDDESIGN CONSULTING

CONSISTING OF FOUR SHEETS  
SHEET THREE OF FOUR SHEETS



FOUND 1/2" IRON PIPE, ILLEGIBLE TAG, 0.6' DOWN, AS PER RECORD OF SURVEY, RECORDED IN BOOK 37 AT PAGE 125 OF MAPS, M.C.R.

FOUND 1/2" IRON PIPE, STAMPED 4714, AS PER RECORD OF SURVEY RECORDED IN BOOK 37 AT PAGE 125 OF MAPS, M.C.R.

FOUND 1/2" IRON PIPE, ILLEGIBLE TAG, AS PER RECORD OF SURVEY RECORDED IN BOOK 37 AT PAGE 125 OF MAPS, M.C.R.

FOUND 1/2" IRON PIPE, STAMPED 4714, DOWN 0.6', AS PER RECORD OF SURVEY RECORDED IN BOOK 36 AT PAGE 94 OF MAPS, M.C.R.

FOUND 1/2" IRON PIPE, NO TAG, DOWN 0.8', AS PER RECORD OF SURVEY RECORDED IN BOOK 36 AT PAGE 94 OF MAPS, M.C.R.

## BASIS OF BEARINGS

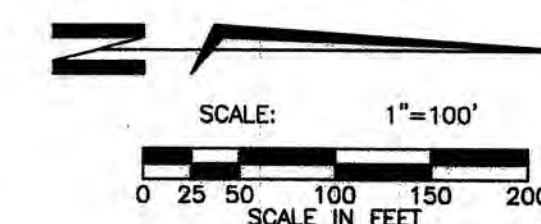
THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 11 SOUTH, RANGE 18 EAST, MOUNT DIABLO BASE AND MERIDIAN, TAKEN TO BE N89°09'45"W AS PER GNSS OBSERVATION.

## NOTES

- SET 3/4" IRON PIPE, 6" DOWN, TAGGED LS 7773 AT ALL LOT CORNERS AND ANGLE POINTS.
- OUTLOT "A" IS DEDICATED IN FEE TO THE CITY OF MADERA FOR PARK PURPOSES, AND THE MAINTENANCE THEREOF, AND AS AN EASEMENT FOR PUBLIC UTILITY PURPOSES.
- OUTLOT "B" IS FOR FUTURE DEVELOPMENT
- N62°43'45"E{N62°34'53"E} 144.15'{144.12'}

## LEGEND

- MONUMENT FOUND AND ACCEPTED AS NOTED.
- NOW OFFERED FOR DEDICATION FOR PUBLIC STREET EASEMENT AND UTILITY EASEMENT PURPOSES.
- PREVIOUSLY DEDICATED FOR COUNTY ROAD PURPOSES, RECORDED AUGUST 3, 1977 IN BOOK 1343 OF DEEDS, PAGE 444, MADERA COUNTY RECORDS. IS ABANDONED AS PER THIS MAP PURSUANT TO SECTION 66434(G) OF THE SUBDIVISION MAP ACT.
- PREVIOUSLY DEDICATED FOR DRAINAGE PURPOSES PER PARCEL MAP 1073, BOOK 23 OF MAPS, PAGES 92 AND 93, RECORDED AUGUST 05, 1977, MADERA COUNTY RECORDS. IS ABANDONED AS PER THIS MAP PURSUANT TO SECTION 66434(G) OF THE SUBDIVISION MAP ACT.
- NOW OFFERED BY THIS MAP AS AN EASEMENT TO THE CITY OF MADERA FOR TEMPORARY CONSTRUCTION PURPOSES, AND THE MAINTENANCE THEREOF.
- NOW OFFERED BY THIS MAP AS AN EASEMENT TO THE CITY OF MADERA FOR STORM DRAIN AND ACCESS ROAD PURPOSES, AND THE MAINTENANCE THEREOF.
- NOW DEDICATED IN FEE FOR STORM DRAIN AND PONDING BASIN PURPOSES, AND THE MAINTENANCE THEREOF.
- ( ) RECORD DATA PER PARCEL MAP NO. 1073 RECORDED IN BOOK 23 AT PAGES 92 AND 93 OF MAPS, M.C.R.
- [ ] RECORD DATA PER LOT LINE ADJUSTMENT NO. 2020-02, CONVEYANCE PARCEL, RECORDED JUNE 12, 2020 AS DOCUMENT NO. 2020013214, M.C.R.
- { } RECORD DATA PER RECORD OF SURVEY, RECORDED IN BOOK 37 AT PAGE 125 OF MAPS, M.C.R.
- < > RECORD DATA PER RECORD OF SURVEY, RECORDED IN BOOK 36 AT PAGE 94 OF MAPS, M.C.R.
- M.C.R. MADERA COUNTY RECORDS.
- PUE PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE FOR ANY AND ALL MUNICIPAL PURPOSES, INCLUDING SIDEWALK.
- HEAVY SHADED BORDER INDICATES THE LIMITS OF THIS SUBDIVISION.





# FINAL MAP OF TRACT NO. 19-S-03 IVEYWOOD I

A PLANNED DEVELOPMENT  
BEING A SUBDIVISION OF A PORTION OF  
THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 11 SOUTH,  
RANGE 18 EAST, MOUNT DIABLO BASE & MERIDIAN  
IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA  
SURVEYED AND PLATTED IN OCTOBER 2018, BY LANDDESIGN CONSULTING

CONSISTING OF FOUR SHEETS  
SHEET FOUR OF FOUR SHEETS

## CURVES

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	TANGENT
C1	34.51'	55.00'	35°57'02"	17.84'
C2	227.21'	50.00'	260°21'29"	59.21'
C3	42.64'	55.00'	44°25'17"	22.46'
C4	21.51'	50.00'	24°38'55"	10.92'
C5	39.73'	50.00'	45°31'18"	20.98'
C6	41.24'	50.00'	47°15'15"	21.87'
C7	44.96'	50.00'	51°31'07"	24.13'
C8	46.08'	50.00'	52°48'12"	24.82'
C9	33.70'	50.00'	38°37'11"	17.52'
C10	27.98'	55.00'	29°08'45"	14.30'
C11	14.66'	55.00'	15°16'10"	7.37'
C12	31.42'	20.00'	90°00'00"	20.00'
C13	165.62'	248.00'	38°15'48"	86.03'
C14	20.17'	248.00'	4°39'33"	10.09'
C15	50.00'	248.00'	11°33'06"	25.09'
C16	50.00'	248.00'	11°33'06"	25.09'
C17	40.25'	248.00'	9°18'00"	20.17'
C18	5.20'	248.00'	1°12'05"	2.60'
C19	148.92'	223.00'	38°15'48"	77.36'
C20	31.42'	20.00'	90°00'00"	20.00'
C21	132.23'	198.00'	38°15'48"	68.69'
C22	67.85'	198.00'	19°37'58"	34.26'
C23	64.38'	198.00'	18°37'50"	32.48'
C24	22.55'	50.00'	25°50'31"	11.47'
C25	123.62'	50.00'	141°39'14"	143.80'
C26	22.55'	50.00'	25°50'31"	11.47'
C27	11.71'	50.00'	13°25'08"	5.88'
C28	43.10'	50.00'	49°23'12"	22.99'
C29	43.10'	50.00'	49°23'12"	22.99'
C30	25.71'	50.00'	29°27'42"	13.15'

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	TANGENT
C31	16.86'	50.00'	19°19'04"	8.51'
C32	5.69'	50.00'	6°31'27"	2.85'
C33	31.41'	20.00'	89°58'13"	19.99'
C34	31.43'	20.00'	90°01'47"	20.01'
C35	31.41'	20.00'	89°58'13"	19.99'
C36	31.42'	20.00'	90°00'00"	20.00'
C37	31.42'	20.00'	90°00'00"	20.00'
C38	32.18'	50.00'	36°52'12"	16.67'
C39	229.02'	50.00'	262°26'34"	57.07'
C40	39.77'	50.00'	45°34'23"	21.00'
C41	28.07'	50.00'	32°08'59"	14.42'
C42	58.76'	50.00'	67°20'08"	33.31'
C43	58.76'	50.00'	67°20'08"	33.31'
C44	46.68'	50.00'	53°29'15"	25.20'
C45	36.76'	50.00'	42°07'06"	19.25'
C46	28.27'	50.00'	32°23'32"	14.52'
C47	11.50'	50.00'	1°10'51"	5.78'
C48	82.81'	330.00'	14°22'39"	41.62'
C49	71.74'	330.00'	12°27'20"	36.01'
C50	40.29'	330.00'	6°59'45"	20.17'
C51	9.85'	330.00'	1°42'38"	4.93'
C52	61.89'	330.00'	10°44'42"	31.03'
C53	36.14'	50.00'	41°24'35"	18.90'
C54	229.35'	50.00'	262°49'09"	56.69'
C55	36.14'	50.00'	41°24'35"	18.90'
C56	17.73'	50.00'	20°19'03"	8.96'
C57	18.41'	50.00'	21°05'32"	9.31'
C58	31.90'	50.00'	36°33'23"	16.51'
C59	51.59'	50.00'	59°06'57"	28.36'
C60	86.40'	50.00'	99°00'42"	58.55'

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	TANGENT
C61	59.46'	50.00'	68°08'07"	33.81'
C62	31.43'	20.00'	90°01'47"	20.01'
C63	31.41'	20.00'	89°58'13"	19.99'
C64	182.13'	275.00'	37°56'47"	94.55'
C65	40.27'	275.00'	8°23'26"	20.17'
C66	50.79'	275.00'	10°34'58"	25.47'
C67	52.15'	275.00'	10°51'57"	26.15'
C68	38.91'	275.00'	8°06'27"	19.49'
C69	166.96'	250.00'	38°15'48"	86.73'
C70	148.47'	225.00'	37°48'27"	77.05'
C71	81.75'	225.00'	20°49'00"	41.33'
C72	66.72'	225.00'	16°59'27"	33.61'
C73	31.58'	20.00'	90°27'22"	20.16'
C74	31.31'	20.00'	89°40'59"	19.89'
C75	31.42'	20.00'	90°00'00"	20.00'
C76	31.42'	20.00'	90°00'00"	20.00'
C77	31.42'	20.00'	90°00'00"	20.00'
C78	31.42'	20.00'	90°00'00"	20.00'
C79	31.42'	20.00'	90°00'00"	20.00'
C80	31.42'	20.00'	90°00'00"	20.00'
C81	31.42'	20.00'	90°00'00"	20.00'
C82	31.42'	20.00'	90°00'00"	20.00'
C83	88.00'	170.00'	29°39'34"	45.01'
C84	108.05'	200.00'	30°57'11"	55.38'
C85	128.08'	230.00'	31°54'25"	65.75'
C86	28.08'	230.00'	6°59'45"	14.06'
C87	50.00'	230.00'	12°27'20"	25.10'
C88	50.00'	230.00'	12°27'20"	25.10'
C89	25.42'	170.00'	8°34'03"	12.73'

## RADIALS

RADIAL TABLE	
RADIAL #	DIRECTION
R1	S53° 54' 27"W
R2	S78° 33' 22"W
R3	N55° 55' 20"W
R4	N8° 40' 05"W
R5	N42° 51' 02"E
R6	S84° 20' 46"E
R7	S45° 43' 35"E
R8	N74° 52' 21"W
R9	S4° 31' 02"W
R10	N16° 04' 08"E
R11	N27° 37' 14"E
R12	N36° 55' 13"E
R13	N19° 29' 27"E
R14	N12° 16' 47"E
R15	N25° 41' 55"E
R16	N75° 05' 07"E

RADIAL TABLE	
RADIAL #	DIRECTION
R17	S55° 31' 41"E
R18	S26° 03' 59"E
R19	N45° 23' 03"W
R20	S88° 46' 41"E
R21	S56° 36' 43"E
R22	N10° 43' 25"E
R23	S78° 03' 33"W
R24	N48° 27' 13"W
R25	N6° 20' 07"W
R26	S38° 43' 39"E
R27	N6° 51' 14"E
R28	N17° 35' 56"E
R29	N19° 18' 34"E
R30	N33° 41' 13"E
R31	N72° 13' 33"W
R32	N86° 40' 56"E

RADIAL TABLE	
RADIAL #	DIRECTION
R33	S56° 45' 41"E
R34	S2° 21' 15"W
R35	N78° 38' 03"W
R36	N10° 29' 55"W
R37	N8° 33' 56"E
R38	N19° 08' 54"E
R39	N30° 00' 51"E
R40	N21° 07' 51"E
R41	N6° 51' 14"E
R42	N19° 18' 34"E
R43	N31° 45' 51"E
R44	N29° 31' 03"E
R45	N30° 48' 41"E
R46	N0° 18' 51"E
R47	N0° 10' 30"E

## LINES

LINE TABLE		
LINE #	LENGTH	BEARING
L1	169.83'	N4° 31' 02"E
L2	43.37'	N89° 51' 29"E
L3	95.51'	N89° 51' 29"E
L4	28.00'	N89° 51' 29"E
L5	48.07'	N17° 35' 56"E



LOT	1300-2	1300-3	1400-2	1400-3	1616-2	1616-3	1777-2	1777-3
1	X		X	X	X		X	
2	X		X	X	X		X	
3	X		X	X	X		X	
4	X		X	X	X		X	
5	X		X	X	X		X	
6	X		X	X	X		X	
7	X		X	X	X	X	X	
8	X		X	X	X		X	
9	X		X	X	X		X	
10	X		X	X	X		X	
11	X		X	X	X		X	
12	X		X	X	X		X	
13	X		X	X	X		X	
14	X		X	X	X	X	X	
15	X		X	X	X		X	
16	X		X	X	X		X	
17	X		X	X	X		X	
18	X		X	X	X		X	
19	X		X	X	X		X	
20	X		X	X	X		X	
21	X		X	X	X		X	
22	X		X	X	X		X	
23	X		X	X	X		X	
24	X							
25	X							
26	X	X	X	X	X	X	X	X
27	X	X			X	X		
28	X						X	X
29	X				X		X	
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33			X					
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45	X				X			
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48	X						
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132	X		X	X	X		X	
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# BOARD - 01

Quartersawn Oak-2836

FACIA

Fairfax Brown-2856

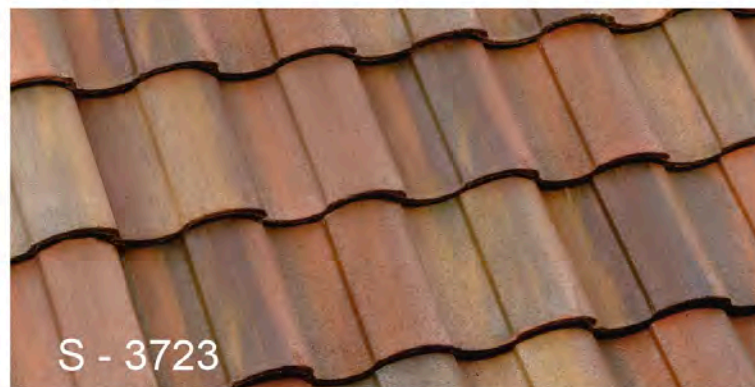
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DOOR  
COLOR

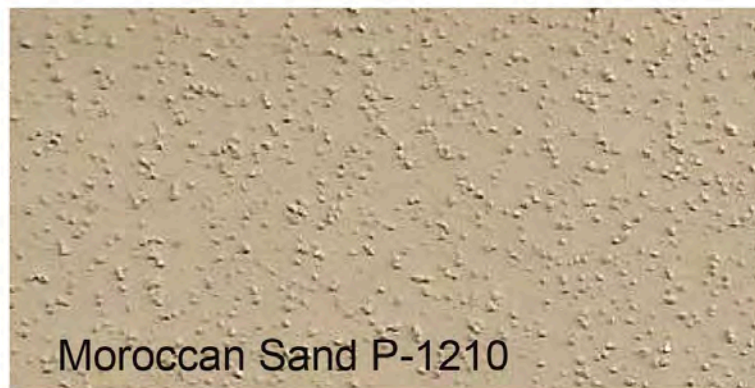
Quartersawn  
Oak-2836

WINDOW  
VINYL  
COLOR

White



ROOF TILE



STUCCO



## BOARD - 02

Downing Sand - 2822

FACIA

Downing Earth - 2820

TRIM

EXTERIOR  
DOOR  
COLOR

Downing  
Sand - 2822

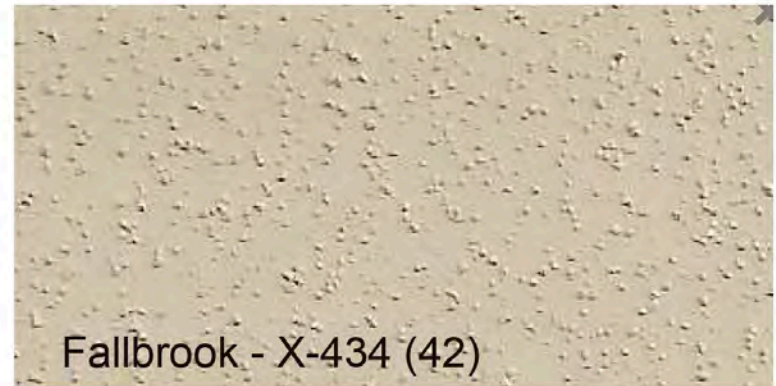
WINDOW  
VINYL  
COLOR

White



FLAT - 5602

ROOF TILE



Fallbrook - X-434 (42)

STUCCO



## BOARD - 03

Rockwood Dark Brown - 2808

FACIA

Beige - 2859

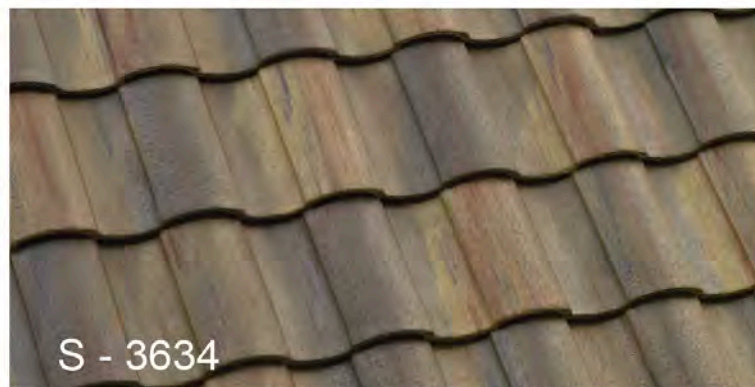
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EXTERIOR  
DOOR  
COLOR

WINDOW  
VINYL  
COLOR

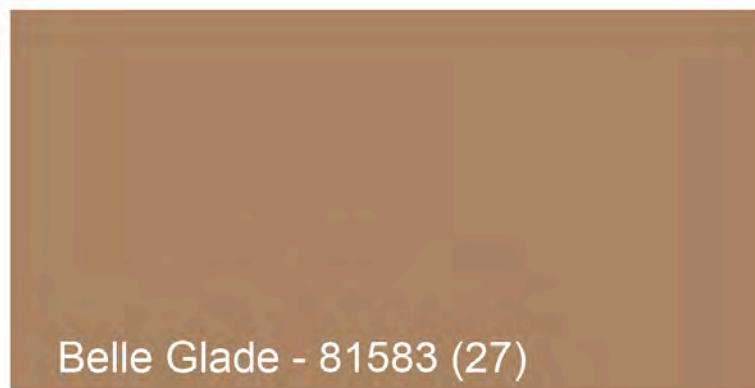
Rockwood  
Dk Brown  
2808

White



S - 3634

ROOF TILE



Belle Glade - 81583 (27)

STUCCO



# BOARD - 04

Urban Bronze - 7048

FACIA

Felted Wood - 9171

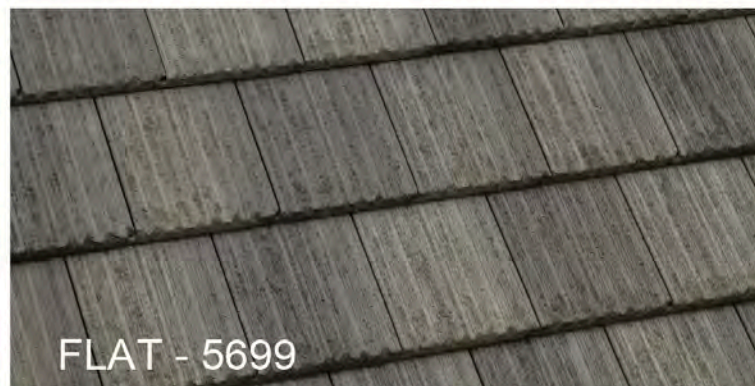
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COLOR

WINDOW  
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COLOR

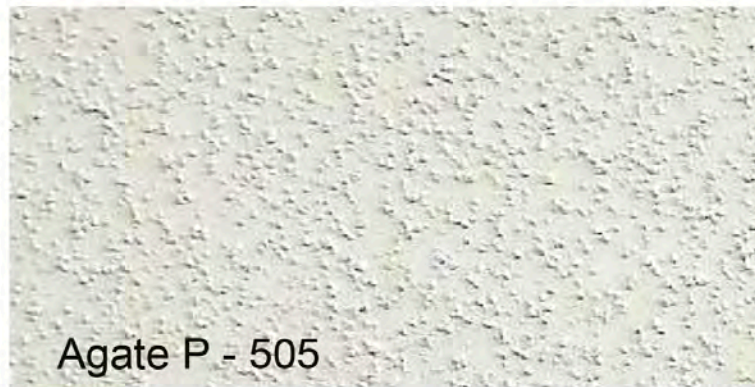
Urban  
Bronze-7048

White



FLAT - 5699

ROOF TILE



Agate P - 505

STUCCO



# BOARD - 05

Downing Sand - 2822

FACIA

Downing Slate - 2819

TRIM

EXTERIOR  
DOOR  
COLOR

WINDOW  
VINYL  
COLOR

Downing  
Sand - 2822

White



ROOF TILE

Silver Gray X - 16 (57)

STUCCO



# BOARD - 06

Gossamer Veil - 9165

FACIA

Gauntlet Gray - 7019

TRIM

EXTERIOR  
DOOR  
COLOR

WINDOW  
VINYL  
COLOR

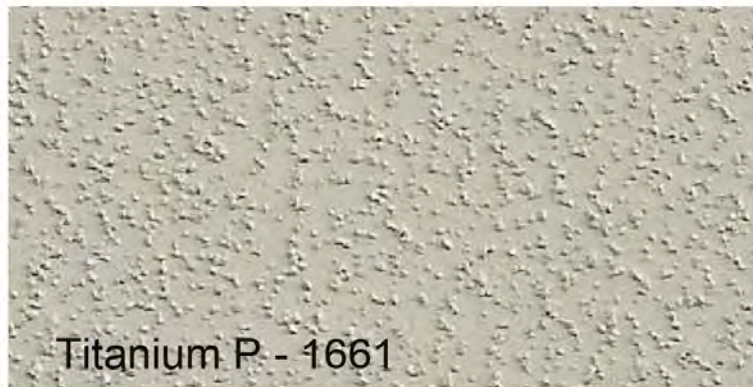
Gossamer  
Veil - 9165

White



FLAT - 5690

ROOF TILE



Titanium P - 1661

STUCCO



## EXTERIOR DOORS & HARDWARE

FRONT  
EXTERIOR DOOR



Therma Tru Fiberglass,  
Soft Arch S8201 (PRIMED)



Kwikset Dakota Satin  
Nickel Finish Handle Set



CHI-4250 Garage Door Long Panel (PRIMED)





ABBHEY | PLAN 1616 | ELEVATION A





ABBHEY | PLAN 1616 | ELEVATION B





ABBHEY | PLAN 1616 | ELEVATION C





PICCOLA | PLAN 1300 | ELEVATION A





PICCOLA | PLAN 1300 | ELEVATION B





PICCOLA | PLAN 1300 | ELEVATION C





SIENNA | PLAN 1777 | ELEVATION A





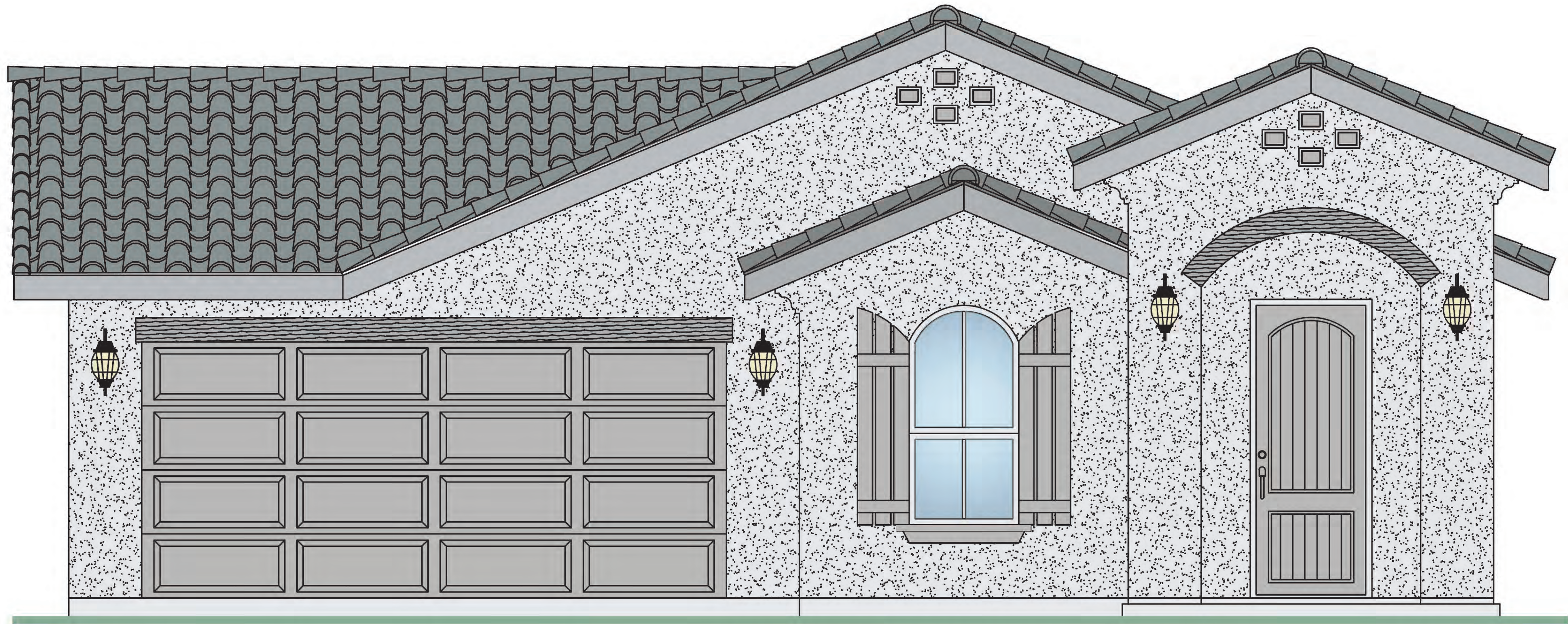
SIENNA | PLAN 1777 | ELEVATION B





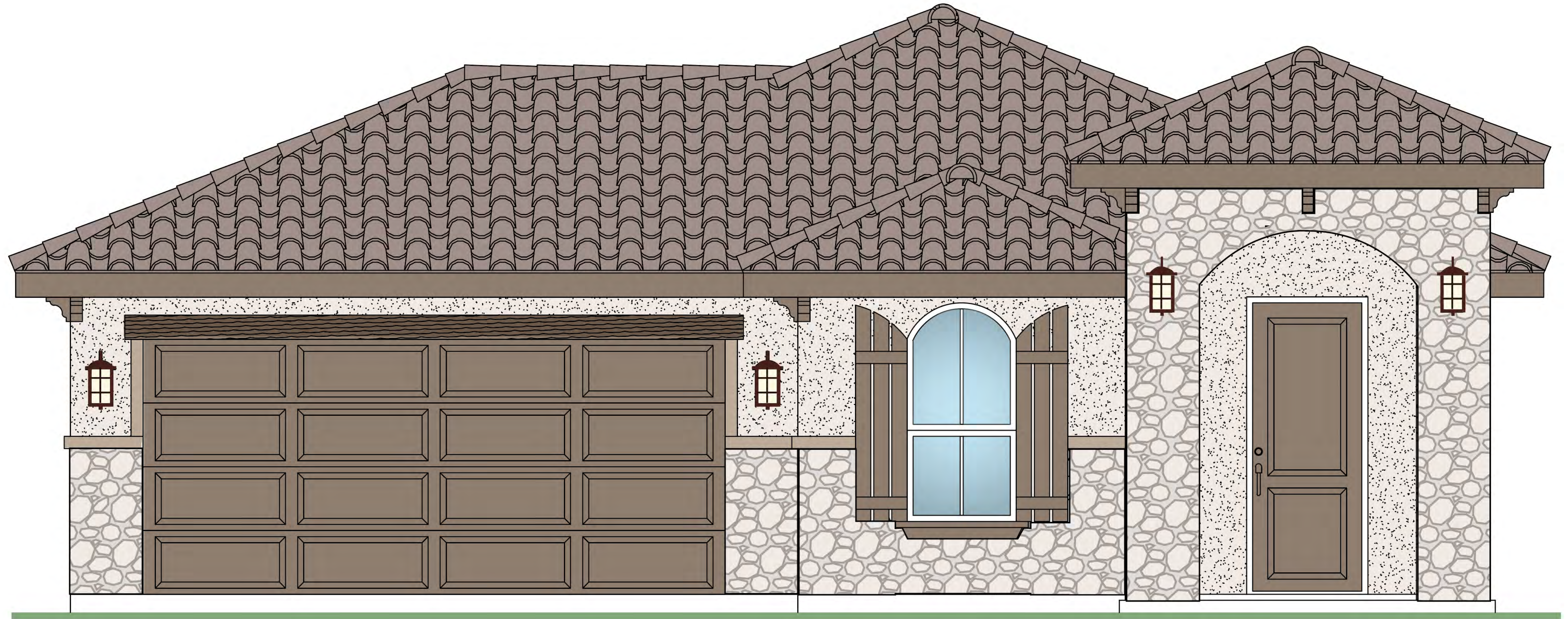
SIENNA | PLAN 1777 | ELEVATION C





REGATTA | PLAN 1386 | ELEVATION A





REGATTA | PLAN 1386 | ELEVATION B



## **Attachment 6: Planning Commission Resolution**



**RESOLUTION NO. 1923**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA  
APPROVING PRECISE PLAN, SUBJECT TO CONDITIONS, FOR A 63-LOT  
RESIDENTIAL SUBDIVISION (PPL 2021-05)  
(CROWN TOZER II)**

**WHEREAS**, Joseph Crown (“Owner”) owns Assessor Parcel Number (APN) 008-180-009 in Madera, California (“site”); and

**WHEREAS**, the Planning Commission (Commission) approved Tentative Subdivision Map application 2021-01 (TSM 2021-01) on February 9, 2021 for APN 008-180-009; and

**WHEREAS**, the Owner is now seeking a precise plan to allow for a 63-lot single family residential subdivision on 11.37-acres of APN 008-180-009, as proposed by Precise Plan 2021-05 (PPL 2021-05); and

**WHEREAS**, the 11.37-acres is planned and zoned for residential land uses; and

**WHEREAS**, the City of Madera, acting as the Lead Agency, prepared an Initial Study and Negative Declaration for the project in compliance with California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. Seq.; and

**WHEREAS**, the Commission adopted the Negative Declaration on February 9, 2021; and

**WHEREAS**, the adopted negative declaration is sufficient and pursuant to State CEQA Guidelines Section 15162, which identifies the requirements for which subsequent analysis is required, and upon analysis, no further environmental review is required; and

**WHEREAS**, under the City’s Municipal Code, the Commission is authorized to review and approve precise plans on behalf of the City; and

**WHEREAS**, the City provided notice of the Commission hearing as required by law; and

**WHEREAS**, a public hearing was held, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Commission; and

**WHEREAS**, the Commission has completed its review of the Staff Report and documents submitted for the proposed Precise Plan (PPL 2021-05) evaluated the information contained in the negative declaration, and considered testimony received as part of the public hearing process at a duly noticed meeting on July 12, 2022; and

**WHEREAS**, the Commission now desires to approve PPL 2021-05, with conditions;

**NOW THEREFORE**, be it resolved by the Commission of the City of Madera as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein by reference.



2. CEQA: The Commission finds and determines that an environmental assessment was prepared for this project in accordance with the requirements of CEQA. The Negative Declaration adopted on February 9, 2021, is still valid. There have been no changes of circumstances which require subsequent environmental analysis under State CEQA Guidelines Section 15162. Therefore, no further environmental review is required.

3. Findings for PPL 2021-05: The Commission finds and determines that there is substantial evidence in the administrative record to support the approval of PPL 2021-05, as conditioned. With conditions, the project is consistent with the requirements of the Municipal Code, including Sections 10-3-4.101 through 10-3-4.107, and Section 10-3.1307. The Commission further approves, accepts as its own, incorporates as if set forth in full herein, and makes each one of the findings, based on the evidence in the record, as follows:

*Finding a: The proposal is consistent with the General Plan and Zoning Ordinance.*

The project is consistent with both the proposed land use and adjacent areas in the City of Madera.

*Finding b: The proposal is consistent with any applicable specific plans.*

The project site is not subject to any specific plans.

*Finding c: c. The establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the city.*

PPL 2021-05 has been reviewed and is consistent with surrounding uses and with all applicable requirements for development in the PD 4,500 zone district, including provisions for access to and from the site, parking and loading facilities, drainage, and lighting. The project would not have an adverse effect on surrounding properties.

*Finding d: The proposed project is consistent with established legislative policies relating to traffic safety, street dedications, street improvements, and environmental quality.*

PPL 2021-05 will be required to install street improvements in accordance with City standards and specifications. Related infrastructure improvements will also be required for storm drainage. The project site will have access to Tozer Street which can accommodate traffic generated from the proposed project. Based on the environmental analysis prepared, the project will not have a significant impact on traffic or the environment.

5. Recommendation of Approval of PPL 2021-05 with Conditions: Given all of the findings can be made, Planning Commission hereby approves PPL 2021-05 as conditioned as set forth in the Conditions of Approval attached as Exhibit "A".

6. Effective Date: This resolution is effective immediately.



\* \* \* \* \*

Passed and adopted by the Planning Commission of the City of Madera this 12<sup>th</sup> day of July 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

---

Robert Gran Jr.  
Planning Commission Chairperson

Attest:

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Gary Conte, AICP  
Planning Manager

Exhibit "A" – Conditions of Approval for PPL 2021-05.



**EXHIBIT "A"**  
**PPL 2021-05 Crown Tozer II**  
**CONDITIONS OF APPROVAL**  
**July 12<sup>th</sup>, 2022**

**Notice to Applicant**

In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedications, reservations, or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within ninety (90) calendar days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

**IMPORTANT: PLEASE READ CAREFULLY**

This project is subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies; those determined through site plan review, and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community; and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Approval of this permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development.

Approval of this permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this permit, the zoning ordinance, and all City standards and specifications. This permit is granted, and the conditions imposed, based upon the application submittal provided by the applicant, including any operational statement. The application is material to the issuance of this permit. Unless the conditions of approval specifically require operation inconsistent with the application, a new or revised permit is required if the operation of this establishment changes or becomes inconsistent with the application. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the permit or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the review process or for additions or alterations to any construction or building plans not specifically submitted and reviewed and approved pursuant to this permit or subsequent amendments or revisions. These conditions are conditions imposed solely upon the permit as delineated herein and are not conditions imposed on the City or any third party. Likewise, imposition of conditions to ensure compliance with federal, state, or local laws and regulations does not preclude any other type of compliance enforcement.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings can be made.

All discretionary conditions of approval for PPL 2021-05 will ultimately be deemed mandatory unless appealed by the applicant to the City Council within fifteen (15) days after the decision by the Planning



Commission. In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval, you may do so by filing a written appeal with the City Clerk. The appeal shall state the grounds for the appeal and wherein the Commission failed to conform to the requirements of the zoning ordinance. This should include identification of the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld.

These conditions are applicable to any person or entity making use of this permit, and references to "developer" or "applicant" herein also include any applicant, property owner, owner, lessee, operator, or any other person or entity making use of this permit.

#### GENERAL CONDITIONS

1. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specifically noted in the conditions or mandated by statutes.
2. The applicant shall submit to the City of Madera Planning Department a check in the amount necessary to file a Notice of Exemption at the Madera County Clerk. This amount shall equal the Madera County filing fee in effect at the time of filing. **Such check shall be made payable to the Madera County Clerk, be provided from the listed applicant on the application form and submitted no later than three (3) days following action on PPL 2021-05.**
3. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by the applicant's signature on the Acknowledgement and Acceptance of Conditions of Approval.
4. It shall be the responsibility of the property owner, operator, and/or management to ensure that any required permits, inspections, and approvals from any regulatory agency be obtained from the applicable agency prior to issuance of a building permit and/or the issuance of a certificate of completion, as determined appropriate by the City of Madera Planning Department.
5. Prior to issuance of building permits or any future division of the property, the applicant at their sole expense shall cause the property to be annexed into the City-wide Community Facilities District No. 2005-01, and shall pay all applicable fees.
6. The project shall be developed in conformance with the plans, elevations, and color and material selections approved by PPL 2021-05 provided herein as Attachments 5, subject to the conditions noted herein.
7. Minor modifications to model types including to plans, elevations, color and materials selections approved under PPL 2021-05 which are necessary to meet regulatory, engineering, or similar constraints or requirements may be made at the discretion of the Planning Manager without an amendment to PPL 2021-05. If the Planning Manager determines the modifications are substantive, an amendment to PPL 2021-05 shall be filed for review and approval through the applicable City process.
8. All on-site improvements shall be completed prior to final building inspection and shall be completed in conformance with PPL 2021-05 to the satisfaction of the City of Madera prior to issuance of a certificate of completion.
9. All construction shall cease, and the Planning Manager and City Engineer shall be notified immediately if any prehistoric, archaeological, or fossil artifact or resource is uncovered during construction. All construction shall immediately stop and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained, at the applicant's and/or successors-in-interest's expense, to



evaluate the find(s) and recommend appropriate action according to Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines. If avoidance is infeasible, other appropriate measures would be instituted. Work may proceed on other parts of the project subject to direction of the archaeologist while assessment of historic resources or unique archaeological resources is being carried out.

10. All construction shall cease if any human remains are uncovered, and the Planning Manager, City Engineer and County of Madera Coroner shall be notified in accordance to Section 7050.5 of the California Health and Safety Code. If human remains are determined to be those of a Native American or has reason to believe that they are those of a Native American, the Native American Heritage Commission shall be contacted, and the procedures outlined in CEQA Section 15064.5(e) shall be followed.
11. Approval of this project is for the benefit of the applicant. The submittal of applications by the applicant for this project was a voluntary act on the part of the applicant not required by the City. Therefore, as a condition of approval of this project, the applicant agrees to defend, indemnify, and hold harmless the City of Madera and its agents, officers, consultants, independent contractors, and employees ("City") from any and all claims, actions, or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the project, including any challenges to associated environmental review, and for any and all costs, attorneys' fees, and damages arising therefrom (collectively "claim").

The City shall promptly notify the applicant of any claim and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Nothing in this condition shall obligate the City to defend any claim and the City shall not be required to pay or perform any settlement arising from any such claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any claim, and if the City does decide to independently defend a claim, the applicant shall be responsible for City's attorneys' fees, expenses of litigation, and costs for that independent defense, including the costs of preparing any required administrative record. Should the City decide to independently defend any claim, the applicant shall not be required to pay or perform any settlement arising from any such claim unless the applicant approves the settlement.

## **BUILDING DEPARTMENT**

12. Submit five (5) full sets and one (1) USB flash drive providing a portable document format (PDF) file of plans for review and approval prior to obtaining all required permits for construction of project.
13. A building permit is required for all construction on the site.

## **ENGINEERING**

### **General Conditions**

14. Nuisance onsite lighting shall be redirected as requested by City Engineer within 48 hours of notification.
15. Prior to the construction of improvements within the City right-of-way, an Encroachment Permit will be required from the Engineering Department.



16. All off-site improvements shall be completed prior to issuance of final occupancy.

## **PLANNING DEPARTMENT**

### **General Conditions**

17. Vandalism and graffiti shall be corrected in accordance with the provisions of the Madera Municipal Code.
18. The property owner, operator, and/or manager shall operate the site in a manner that does not generate noise, odor, blight, or vibration that adversely affects adjacent properties.
19. The property owner, operator, and/or manager shall keep the property clear of all trash, rubbish, and debris at all times.

### **Residences**

20. All model types shall conform to the development standards set out in the 'Project Description and Design Standards' document inclusive of:

Minimum Lot Area: 4,500 sq.ft.

Minimum Corner Lot Area: 5,000 sq.ft.

Maximum Lot Coverage: 50%

Minimum Landscape Area (Front Yard) 450 sq.ft

Minimum Interior Lot Width: 50ft

Minimum Exterior Lot Width: 60ft

Minimum Lot Depth: 80ft

Maximum Building Height: 35ft

Minimum Curved Frontage: 35ft

Minimum Yard Setbacks:

Front Setback – Porch, Balcony, Deck 12ft

Front Setback – Living Space 15ft

Front Setback – Garage 20ft

Front Setback – Front gate, per Madera Municipal Code Standards

Street Side Setback 10ft

Interior Side Setback 5ft

Rear Setback – Patio Cover, Balcony Deck 10ft

Rear Setback – 15ft



Accessory structures: Per Madera Municipal Code Section 10-3.513

Required parking spaces: Minimum 1 covered space and 1 uncovered space on driveway.

Minimum usable open space: For each residential unit in a planned residential development there shall be provided a minimum 750 square feet of open space exclusive of drives and off-street parking areas. Minimum dimension in any direction for open space shall be ten (10') feet.

Standards set out in the 'Project Description and Design Standards' shall be applied to the subdivision development. Where standards are not present or there are conflicts between these standards and the City of Madera Municipal Code, the Municipal Code shall predominate.

21. Construction of dwelling units upon the 63 lots is confined to four (4) residential model plans listed below and herein included as Attachments 5.

Model Plan	Sq. Ft.	Bedrooms	Bathrooms	Garage
1300	1,300	3	2	Subordinate
1400	1,400	3	2	Subordinate
1616	1,616	3	2	Subordinate
1777	1,777	4	2	Subordinate

22. Each dwelling unit shall be constructed consistent with approved elevations and the color and materials selections herein included as Attachments 5. Any change to the color and materials shall be approved by the Planning Manager and shall be included in the Precise Plan.
23. The following criteria shall be applied to the location of homes on individual lots:
- The appearance of a home is affected by at least three (3) primary features, including:
    - Home Model Plan;
    - Alternative Elevations for Each Plan; and
    - Color
  - Dwelling units built on side-by-side lots shall not repeat more than two (2) of the primary home features described in Conditions of Approval No. 22. Model floor plans (inclusive of garages) shall not be repeated on more than two (2) consecutive lots.
24. For lots where side and/or rear exterior elevations of residential buildings are visible from any street or public rights-of-way, they shall incorporate architectural treatments in keeping with the front (primary) elevation.
25. The front setback shall vary from the minimum of fifteen (15) feet to living space to a maximum of twenty (25) feet to living space, with at least a two (2) foot variation, over the entire front elevation, amongst any two (2) adjacent lots, and a five (5) foot variation over any three (3) consecutive lots, regardless of home model plan.
26. All exterior lighting shall be down-shielded, directed in a way to avoid glare onto neighboring properties or off site and directed in such a way as to not interfere with the driving safety of vehicular traffic. Exposed bulbs shall not be permitted.
27. The specifications and types of exterior lighting fixtures including shielding method and luminance to be installed in the subdivision area shall be submitted to and approved by the



Planning Department prior to issuance of building permits.

28. All standards for the location and design of buildings (including accessory structures) and fences which are not specifically included and made a part of PPL 2021-05, shall conform to R1 (Residential) zoning standards.
29. The floor plans of all dwelling units shall be reversible and driveway approaches on corner lots shall be located on the interior side of the property.
30. Except as noted in these Conditions of Approval, all driveways and encroachments shall conform to City standards in regard to setbacks from adjacent property lines and intersections. All approaches shall conform to City standards.

#### **HVAC and PG&E Utility Placement Considerations/Screening Requirements**

31. Prior to the issuance of building permits, the applicant shall identify on the site plan the following information for Planning Department review and approval including screening:
  - a) The location of all natural gas and electrical utility meter locations (coordinate with PG&E).
  - b) The location of all heating, ventilation, and air conditioning (HVAC) equipment.
  - c) The location of all compressor equipment, and mechanical and electrical equipment.
32. All utility equipment and services shall be screened to the specifications of the Planning Department. The applicant shall show methods proposed to architecturally integrate equipment locations, or show methods proposed to screen equipment using landscaping. Any wall-mounted equipment shall be painted to match the exterior wall and screened when in predominant public views.
33. HVAC units shall be ground mounted. No roof mounted air conditioning or heating ventilation units shall be allowed. All ground-mounted HVAC equipment shall be located in the rear yard behind a six (6) foot tall fencing.
34. Fireplaces are not proposed as part of this subdivision. Outside electric outlets shall be provided in the front and rear yards of the units to facilitate the use of electric lawn mowers, edgers, etc. Electric or low nitrogen oxide (Nox) emitting gas-fired water heaters should be installed.

#### **Fencing and Walls**

35. All fencing and walls shall be properly maintained so as not to create a hazard, public nuisance or blight in the surrounding neighborhood.
36. Wood fencing shall be required along all side and rear yards unless otherwise specified in the Conditions of Approval.

Wood fencing shall be a dog ear fence picket style and made of cedar quality or better, and all fence posts shall be pressure treated and set in concrete. Fencing shall not exceed a maximum uniform height of six (6) feet. Fencing shall have a gate allowing for easy access to solid waste containers provided by the City or City contracted waste hauler purveyor. The width of the gate shall be a minimum of thirty-six (36) inches.

37. Any retaining walls greater than eighteen (18) inches in height shall be split block masonry or other architecturally compatible materials to be approved by Planning Manager.

#### **Landscaping**

38. A landscape and irrigation plan shall be prepared by a licensed Landscape Architect and submitted as part of the submittals for a building permit. Landscape and irrigation plans shall be approved by the Planning Department prior to issuance of building permits. Said Landscape



and irrigation plans shall be designed for front yards and the exterior side yards of corner lots visible to the public for the entire subdivision as a whole. Installation shall be completed in conjunction with construction of the individual homes. The plans shall:

- a) Demonstrate compliance with the State of California's Model Water Efficient Landscape Ordinance (MWELO);
  - b) Provide permanent automatic irrigation systems for all landscaped areas;
  - c) Provide vegetative matter coverage of a minimum of 75 percent of all landscaped areas;
  - d) At least one (1) City approved street tree planted in each front yard. Corner lots shall have at least two (2) additional trees planted along the exterior side yard. Said front yard and side street trees overall shall be planted thirty (30) foot on center. Trees should be carefully selected and located to shade the buildings during the summer months. Deciduous trees should be preferentially considered since they provide shade in the summer and allow the sun to reach the buildings during winter months.
  - e) Locate landscape material in such a way that it does not interfere with utilities above or below ground; and
  - f) Provide detailed planting lists for all landscaping, with the number, size, spacing (where applicable) and species of all plant life and groundcover, as well as soil preparation techniques for all landscaped areas.
39. The property owner shall maintain all landscaping in a healthy and well-manicured appearance. This includes, but is not limited to, ensuring properly operating irrigation equipment at all times, trimming and pruning of trees and shrubs, and replacing dead or unhealthy vegetation with drought-tolerant plantings.
40. A maintenance agreement is required for all landscaping located within the public right-of-way. Such agreement shall be entered into prior to issuance of a certificate of completion.

#### **FIRE DEPARTMENT**

- 41. All dwelling shall be equipped with residential fire sprinklers, smoke alarms and carbon monoxide detectors in accordance with the California Fire Code.
- 42. Street fire hydrant placement shall be consistent with approved civil plans and the California Fire Code.
- 43. Temporary construction addresses shall be provided during construction.
- 44. Illuminated addresses shall be provided at certificate of occupancy.

#### **Signage**

- 45. All signage, including, but not limited to, on- or off-site temporary subdivision identification, directional or marketing / sale signs for the purpose advertising homes for sale shall be in compliance with the Sign Ordinance of the Madera Municipal Code Section 10-6. All permanent signage, with the exception of required signs in accordance with City standards for Ellis Street is required to have an approved Sign Permit issued by the Planning Department per Madera Municipal Code Section 10-6.

#### **Construction Trailer & Sales Center**

- 46. Development of any temporary construction trailer and/or materials storage yard and/or parking on any lot in the subdivision requires the approval of the Planning Manager in advance of installation/placement.



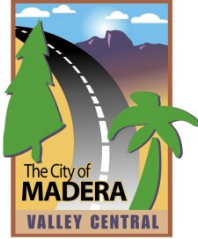
47. The development of any model home sales center on any lot in the subdivision requires the approval of the Planning Manager.

**SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT**

48. The applicant shall consult with and shall comply with the requirements of the San Joaquin Valley Air Pollution Control District, including, but not limited to, compliance with Regulation VIII (Fugitive PM10 Prohibitions) and Rule 9510 (Indirect Source Review).

-END OF CONDITIONS-





## REPORT TO THE PLANNING COMMISSION

**Prepared by:**

James Troyer, Contract Senior Planner

**Meeting of:** July 12, 2022

**Agenda Item:** 3

**SUBJECT:**

Full Throttle Suspension modification to Conditional Use Permit 2019-04 (CUP 2019-04 MOD) and Tentative Parcel Map 2021-03 (TPM 2021-03).

**RECOMMENDATION:**

Adopt a resolution adopting a Finding of Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 and 15315 for the project and approving Conditional Use Permit 2019-04 MOD and Tentative Parcel Map 2021-03, subject to the findings and conditions of approval.

**PROPOSAL:**

An application to subdivide a developed parcel (APN 013-050-006) (2587 Condor Drive) and modify the conditions of the existing use permit to align with the new parcel arrangement. Applicant is proposing the subdivision of a 10.7-acre parcel into three (3) parcels ranging in size from 1.5 to 7.4 acres (see Attachment D). The existing facilities are a single 101,000 square feet (sf) light manufacturing and distribution structure and one 20,000 sf commercial structure still under construction. As proposed, the 7.4-acre parcel (Parcel A) will encompass the 101,000-sf manufacturing and distribution structure and supporting parking area recently constructed. A 2.0-acre parcel (Parcel B) will encompass the 20,000-sf structure and supporting parking area presently under construction. The applicant intends to develop the third parcel (Parcel C) with a 20,000-sf structure in accordance with a previously approved site plan for the property (SPR 2019-05). No alterations to the approved site plan are proposed.

CUP 2019-04 MOD proposes to modify the conditions of the existing use permit to clarify, specify, and deconflict the conditions with respect to the parcel division proposed by TPM 2020-03.

**Table 1: Project Overview**

<i>Project Number:</i>	Conditional Use Permit 2019-04 MOD, Tentative Parcel Map 2021-03
<i>Applicant:</i>	Frank Bertao
<i>Property Owner:</i>	Frank Bertao
<i>Location:</i>	2587 Condor Drive (APN 013-050-006); Parcel east of Condor Drive stretching north from Avenue 16 (West Kennedy Street) to Falcon Drive
<i>Project Area:</i>	Approximately 10.7 acres (466,606 sf)
<i>Planned Land Use:</i>	C (Commercial)
<i>Zoning District:</i>	C-2 (Heavy Commercial)



<i>Site Characteristics</i>	Irregular shaped parcel currently under construction; Improvements include a 101,000-sf light manufacturing and distribution structure and one 20,000 sf commercial structure under construction; Surrounding uses include vacant industrial property to the north, mobile home and RV park to the east, vacant and undeveloped property to the south and west; City Fire Station 58 is located to the west across Condor Drive
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#### **SITE CHARACTERISTICS:**

The subject parcel is an irregular shaped 10.7-acre (466,606 sf) parcel located along Condor Drive (APN: 013-050-006). The parcel is located along the east side of Condor Drive between the intersection with Avenue 16 north to where Condor Drive intersects with Falcon Drive (see Attachments A and B). Per the site plan previously approved for the property access to the parcel is provided by three approved driveways along Condor Drive – two to serve the 101,000-sf structure and one to serve the two 20,000 sf structures (see Attachment C).

The parcel is designated C (Commercial) in the general plan and is zoned C2 (Heavy Commercial). Two structures are present on the property. One structure is approximately 101,000 sf and the other structure is approximately 20,000 sf which is still under construction. In addition to the structures, asphalt has been laid to provide access and parking required of the 101,000-sf structure.

#### **SURROUNDING LAND USES:**

The parcel is bordered to the north by vacant industrial designated and zoned land as well as vacant and developed commercial designated zoned property to the south and to the west across Condor Drive. A City fire station (Station 58) is located to the west of Condor Drive directly across from the project site. The property abutting the extreme west property boundary (013-260-004) is zoned C-2 (Heavy Commercial) but is currently being used for residential purposes (Madera Mobile Home and RV Park).

<b>Table 2: Bordering Site Information</b>			
<i>Direction</i>	<i>Existing Use</i>	<i>General Plan Designation</i>	<i>Zone District</i>
<i>North</i>	Vacant	I (Industrial)	I (Industrial)
<i>East</i>	Madera Mobile Home and RV Park	C (Commercial)	C-2 (Heavy Commercial)
<i>South</i>	Bass & Sons (trucking company)	C (Commercial)	C-2 (Heavy Commercial)
<i>West</i>	Fire Station 58, Specialty Crop Company, Vacant	C (Commercial)	C-2 (Heavy Commercial)

The parcel is designated C (Commercial) in the general plan and is zoned C-2 (Heavy Commercial). It has two (2) existing buildings on site, an approximately 101,000 sf manufacturing/warehouse facility, as well as 1 approximately 20,000 sf commercial/warehouse facility currently under construction.

#### **APPLICABLE CODES AND PROCEDURES:**

<i>MMC § 10-3.1201</i>	<i>Off-Street Parking Regulations</i>
<i>MMC § 10-3.1501</i>	<i>Amendments</i>
<i>MMC § 10-3.900</i>	<i>Heavy Commercial Zones</i>
<i>MMC § 10-2.501</i>	<i>Tentative Parcel Map</i>
<i>CGC § 66413</i>	<i>State Subdivision Map Act</i>



The Madera Municipal Code (MMC) establishes procedures for the review and approval of tentative parcel maps (Section 10-2.501) and for the review and modification of conditional use permits (Section 10-3.1501). The division of property is also regulated by the State's Subdivision Map Act (California Government Code (CGC) Section 66413). MMC Sections 10-3.903 through 10-3.905 establishes the standards specific to development with the C-2 (Heavy Commercial) zoning district as well as other generally applicable development standards such as site area, setbacks and height. Sections 10-3.1201 through 10-3.1203 establishes standards specific to off-site parking.

#### **PRIOR ACTION:**

- TPM 2006-13: Established the current parcel; Map recorded in 2007
- CUP 2019-03: Permits light manufacturing and assembly uses on the property; Approved on February 19, 2019
- CUP 2019-04: Permits outdoor display of vehicles bearing Full Throttle Suspension (FTS) products; Approved on February 19, 2019
- SPR 2019-05: Siting and development approval of three structures and improvements ancillary to the structures (i.e., circulation, parking, trash enclosures, lighting, landscape); Approved on February 19, 2019

#### **ANALYSIS:**

##### Conditional Use Permits

The parcel to be divided is currently benefitting from two conditional use permits: CUP 2019-03 and CUP 2019-04 previously approved on February 19, 2019. CUP 2019-03 allows for light manufacturing and assembly uses on the property. CUP 2019-04 allows for the outdoor display of vehicles bearing Full Throttle Suspension (FTS) products in accordance with certain provisions of display.

After the division of the property into three parcels, only Parcel A will benefit from CUPs 2019-03 and 2019-04. CUP 2019-03 is not appropriate for, or applicable to, Parcels B or C. For the purposes of clarification, deconfliction, and simplification, the two previously approved CUPs (CUPs 2019-03 and 2019-04) will be combined into a single CUP (CUP 2019-04 MOD) and the conditions of approval amended to reflect the new parcel conditions. CUP 2019-03 will be extinguished.

##### Tentative Parcel Map Review

The parcel to be divided is zoned C-2 (Heavy Commercial) and designated C (Commercial) in the General Plan. No rezoning is proposed for any of the resulting parcels. All proposed parcels resulting from the division would remain zoned C-2. All the proposed parcels meet the area and set-back requirements as well as the coverage and height restrictions for C-2.

##### Parking and Accessibility

The proposed north and the west parcels (Parcel A and Parcel B) resulting from the division would access Condor Drive via street frontage measuring 467 and 526 feet in length respectively. The east parcel (parcel C) would be isolated from direct access to a public right-of-way. As a condition of approval, a cross-access agreement will be required for final recordation of the proposed map. This easement would ensure access to parcel C from Condor Drive.

Three curb cuts are previously approved as part of SPR 2019-05. As proposed, two curb cuts will access Parcel A and one curb cut will access Parcel B. Parking requirements and layouts are covered by SPR 2019-05 which will continue to apply to all the resultant parcels.



### Site Plan

The subject parcel submitted a site plan for initial development which was previously reviewed and approved by this commission (SPR 2019-05). The site plan covered the entire parcel and therefore all three proposed parcels. No change in planned uses nor spatial rearrangements are proposed with this division.

Therefore, all three parcels will continue to be subject to SPR 2019-05 until such a time that a given parcel operations or spatial arrangement in such a way that would require either a modification to the existing site plan review or the issuance of a new site plan review. At that time, the parcel in question will require a new site plan to be issued. Each parcel may separately remain on the existing site plan (SPR 2019-05) until it individually requires a new site plan.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

Staff performed a preliminary environmental assessment and have determined that the project is categorically exempt under Section 15301 (Existing Facilities) for the modification to the CUP and 15315 (Minor Land Divisions) for the Tentative Parcel Map of the State CEQA Guidelines as this action includes the modification to and clarification of a previously approved CUP for an existing light manufacturing facility. Furthermore, the only change to the previously reviewed and assessed plan is the subdivision of the original parcel into 3 parcels. No variances or exceptions are required, and all services and access to the proposed parcels are available. Nor has the subject parcel been involved in a division of a larger parcel within the previous two (2) years or has an average slope greater than 10 percent. Furthermore, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.

### **RECOMMENDATION:**

The information presented in this staff report provides support for the adoption of a resolution recommending adoption of a Categorical Exemption for the project as well as the conditional approval of CUP 2019-04 MOD and TPM 2021-03 by the Planning Commission. It is recommended that the Commission consider the information in this report, as well as testimony received at the public hearing, and make a determination on the Categorical Exemption as well as CUP 2019-04 MOD and TPM 2021-03, subject to the findings and conditions of approval.

### **COMMISSION ACTION:**

The Commission will be acting on the Categorical Exemption as well as CUP 2019-04 MOD and TPM 2021-03 and determining to either:

1. Adopt a resolution of the Planning Commission adopting a Finding of Categorical Exemption from CEQA pursuant to CEQA Guidelines Sections 15301 and 15315 for the project and approving CUP 2019-04 MOD and TPM 2021-03 based on and subject to the findings and conditions of approval (Motion 1).



**ALTERNATIVES:**

As an alternative, the Commission may elect to:

1. Move to continue the public hearing to August 9, 2022 Planning Commission hearing with direction to staff to return with an updated report and resolution with the appropriate findings, and, if applicable, modified conditions of approval for the following reasons: (Specify – Planning Commission should articulate reasons for modifications requested) (Motion 2).
2. Move to continue the hearing to August 9, 2022 with direction to staff to return with an updated resolution with appropriate findings for denial for the following reasons: (Specify – Planning Commission should articulate reasons for denial) (Motion 3).

**ATTACHMENTS:**

- Attachment 1: Vicinity Map
- Attachment 2: Aerial Image
- Attachment 3: Approved Site Plan
- Attachment 4: Tentative Parcel Map
- Attachment 5: Planning Commission Resolution



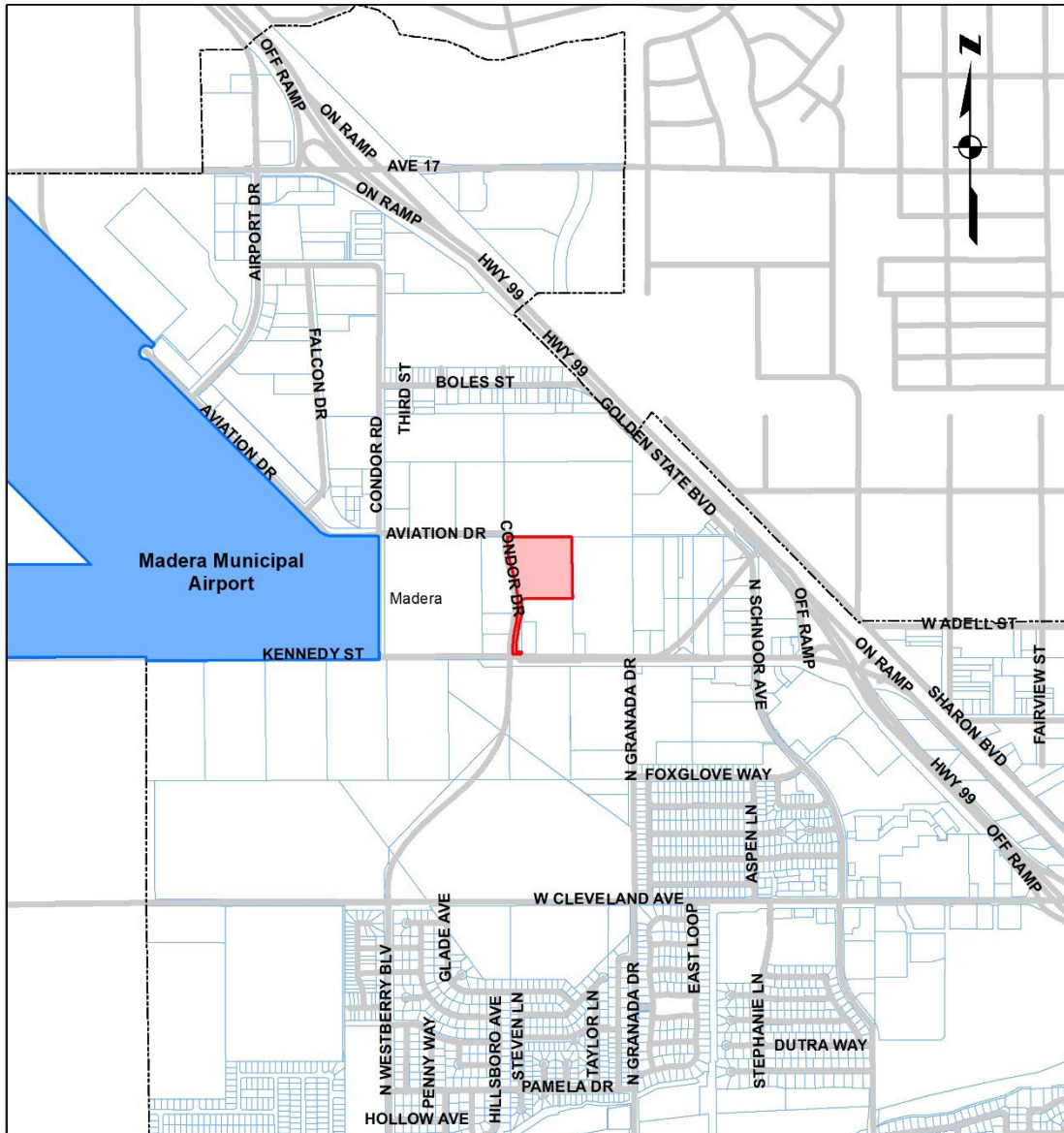
## **Attachment 1: Vicinity Map**



# Vicinity Map

CUP 2019-04 MOD & TPM 2021-03  
Full Throttle Suspension

## Legend





**Attachment 2: Aerial Image**

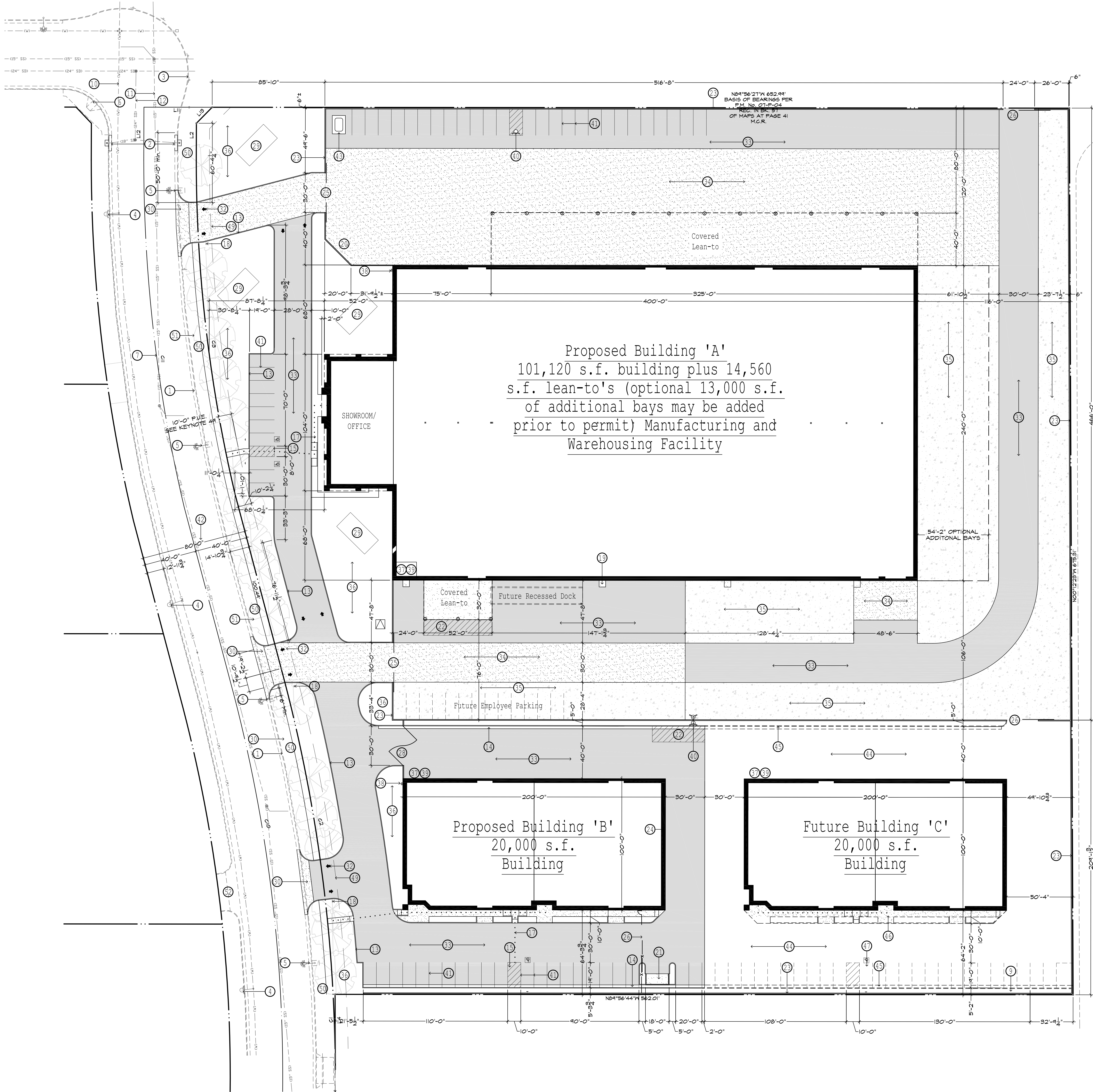






### **Attachment 3: Approved Site Plan**





Keynotes

- Existing off-site concrete curb & gutter to remain/typical.
- Existing storm drain inlet to remain/typical.
- Existing AC Dike to remain/typical.
- Existing fire hydrant to remain/typical.
- Existing street light to remain/typical.
- Existing off-site accessible corner ramp to remain.
- Existing centerline of street/property line.
- Existing fence to remain.
- Existing fence to be removed.
- Existing water main. See civil plans
- Existing sewer main. See civil plans
- Existing storm drain main. See civil plans
- Proposed 6" high Concrete Curb & Gutter/Typical.
- Proposed 6" high Concrete Curb & Gutter/Typical.
- Proposed Van Accessible Parking Stall and Unloading Zone. Refer to Detail 1/T-1 & 2/O-2 for specific details, required slopes, and required signage.
- Proposed Accessible Route to building entrance. Slopes shall not exceed 5% and cross slopes shall not exceed 2%/typical.
- Install sign at each entrance to off-street parking per Site note 19 on Sheet T-1.
- Proposed 5' x 5' (min.) 4" thick concrete landing with slopes not exceeding 2% in any direction/typical.
- Proposed Trash and Recycling area. No enclosure required as screened from view.
- Proposed trash enclosure per PW Standards
- Proposed Striped 12' x 40' loading zone.
- Proposed 7' high black wall/typical.
- Proposed 7' high wrought iron fencing/typical.
- (2)-15' wide x 7' high wrought iron bi-parting rolling gates with solid backing to screen view. Coordinate lock box location for all gates with Fire Department
- 24' wide x 7' high wrought iron rolling gate with solid backing to screen view. Coordinate lock box location for all gates with Fire Department
- N/A
- (2)-15' wide x 7' high wrought iron swinging gates with solid steel backing to screen view. Coordinate lock box location for all gates with Fire Department
- Proposed Display Area (Display Vehicles, Product Display)/typical.
- Construct new 30' wide concrete drive approach per City of Madera PW Stds/typical
- N/A
- Proposed painted directional arrows/typical.
- Shading indicates proposed 3" AC pavement over 4" AB installed per PW Standards and soils report/typical.
- 6" thick concrete paving/typical.
- 4" Base rock left 3" low to accommodate future 3" AC pavement on top/typical.
- Indicates proposed landscaped area. If adjacent to parking stalls, ensure there are no obstructions within the 3' vehicle overhang/typical.
- Proposed location of main electrical service. Coordinate with electrical plans and local utility company/typical.
- Proposed gas meter location. Coordinate with local utility company/typical.
- Proposed fire sprinkler riser. Verify size with Fire Sprinkler Plans/typical.
- New on-site fire hydrant off of fire line to building
- Indicates proposed parking stall striping (4" wide white striping)/typical.
- Existing Road dimensions are based on Survey by Yarnie and Horn Engineers.
- Propane tank
- Future AC Pavement With Phase II Building 'C'. 3" AC over 4" AB Base per PW Standards
- Future 6" concrete curb and gutter with Phase II Building 'C' Development/typical.
- Future curbs and flatwork against building (similar to Building 'B') to be installed with Phase II Building 'C'
- Future Accessible Parking stall, unloading zone, and path of travel to building per Keynotes 15 and 17 to be installed with Phase II Building 'C'
- Future 7' high wrought iron fence with 22' wide x 7' high wrought iron rolling gates.
- 10' P.U.E. to be dedicated. Refer to civil plans.
- Future sidewalk to be installed per pattern as determined by City of Madera once Right away Alignment is finalized. Owner request deferral if road is to be widened and therefore sidewalk torn up. Extremely hard to install sidewalk at correct grades if future curb and gutter grades are not known at this time.
- Street Trees. Type, species and exact location to be coordinated with the City.
- Coordinate with landscape plans
- Approximate location of drive approach being installed with Fire Department Development

Line and Curve Data

LINE	DISTANCE	BEARING	DISTANCE	BEARING
L1	30.00	S0°13'35"E	30.00 (R4)	S0°03'25"W (R3)
L2	28.00	N0°03'25"E	28.00 (R3)	S0°03'25"W (R4)
L3	29.00	N0°03'25"E	28.00 (R4)	S0°03'25"W (R4)
L4	27.14	N0°12'23"W		
L5	36.00	N0°03'14"E	36.00 (R4)	N0°03'14"E (R4)
L6	18.80	N45°03'14"E	18.80 (R4)	N45°03'14"E (R4)
L7	12.73	S44°58'46"E	12.73 (R3)	S44°58'46"E (R3)
L8	21.00	S0°03'14"W	21.00 (R4)	S0°03'14"W (R4)
L9	18.29	S44°52'03"E	18.29 (R4)	N44°58'35"W (R4)
L10	52.00	S89°56'27"E	52.00 (R4)	S89°56'27"E (R4)
L11	52.00	S89°56'27"E	52.00 (R3)	S89°56'27"E (R3)
L12	40.00	N4°03'25"E	40.00 (R3)	S0°03'25"W (R3)
L13	16.29	S44°59'27"W	16.29 (R3)	S44°03'25"W (R3)
L14	50.00	S0°03'14"W	50.00 (R4)	S0°03'14"W (R4)

CURVE	DELTA M & (R3)* (R4)**	RADIUS M & (R3)* (R4)**	ARC LENGTH M & (R3)* (R4)**
C1	1°32'05"	1190.00	31.88
C2	14°07'19"	1190.00	283.30
C3	15°09'29"	1110.00*	293.65*
C4	10°22'24"	1190.00**	215.45**
C5	25°31'41"	1110.00**	494.56**
C6	15°09'29"	1190.00**	314.52**
C7	10°22'24"	1110.00*	200.56*
C8	9°59'15"	1190.00	205.02
C9	10°22'24"	1150.00*	208.21*
C10	15°31'41"	1150.00*	512.38*
C11	15°09'29"	1150.00*	304.24*



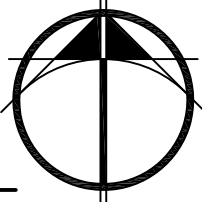
1859 Athens Avenue  
Clovis, Ca. 93611  
(559) 500-2089

Eric Vincent Owner



Project Title: Proposed Manufacturing and Warehousing Facility for FTS Enterprises, Inc.  
Project Location: Condor Drive Madera, CA. APN: 013-050-006

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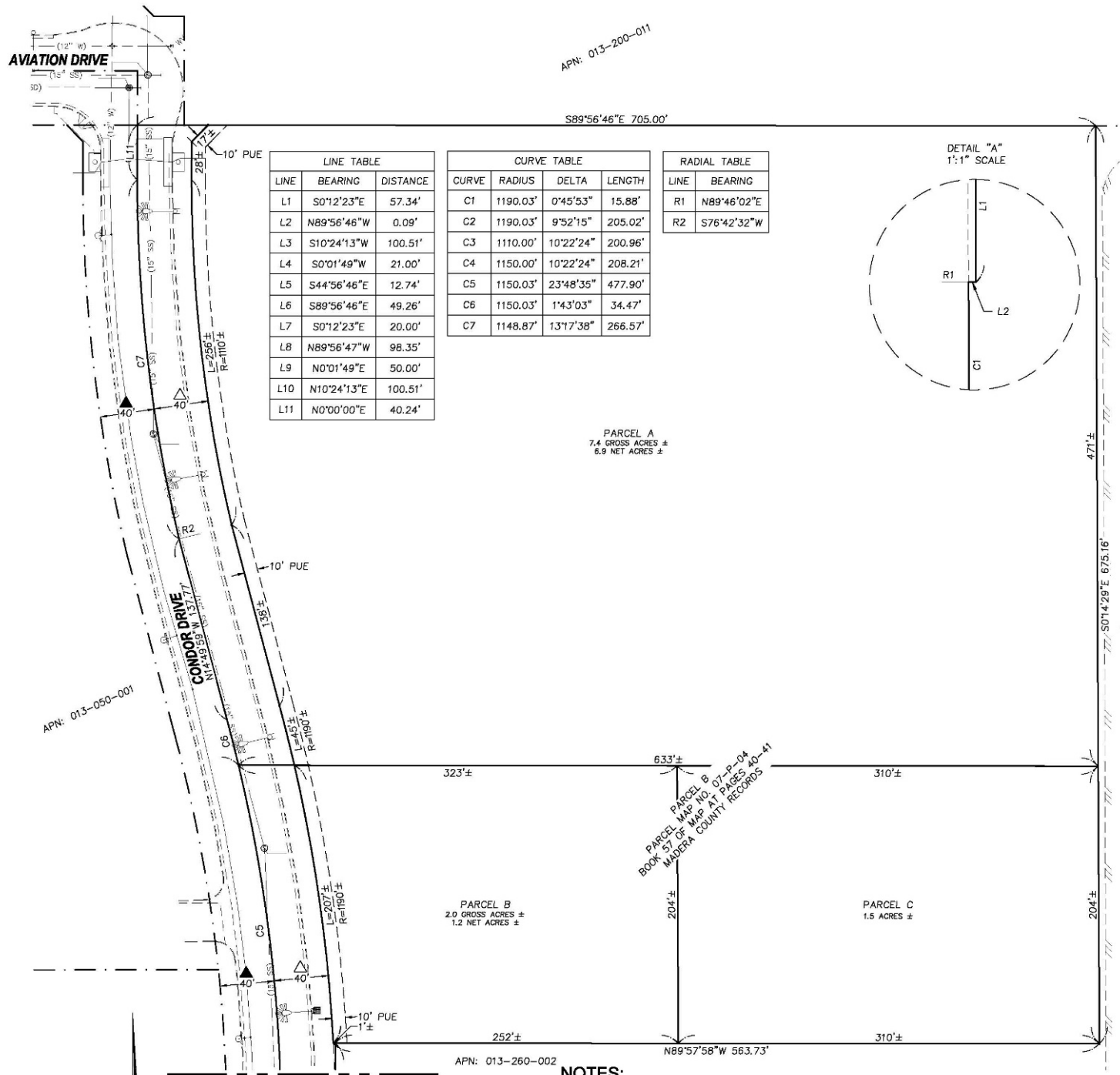




#### **Attachment 4: Tentative Parcel Map**



TENTATIVE  
PARCEL MAP NO. 2020-  
IN THE CITY OF MADERA, MADERA COUNTY, CALIFORNIA  
SHEET ONE OF ONE



MATCHLINE - SEE BOTTOM LEFT

LEGEND

- PUE PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
- PREVIOUSLY GRANTED EASEMENT FOR PUBLIC ROAD PURPOSES PER INSTRUMENT RECORDED JUNE 6, 2002 AS DOCUMENT NO. 2002018131, M.C.O.R.
- PREVIOUSLY GRANTED EASEMENT FOR PUBLIC ROAD PURPOSES PER INSTRUMENT RECORDED JUNE 6, 2002 AS DOCUMENT NO. 2002018132, M.C.O.R.
- EXISTING DRAIN INLET
- EXISTING STORM DRAIN MANHOLE
- FIRE HYDRANT
- STORM DRAIN INLET
- EXISTING STREETLIGHT
- EXISTING SANITARY SEWER
- EXISTING STORM DRAIN
- EXISTING WATER
- CURB/GUTTER/LIP OF GUTTER LINE
- LIMITS OF SUBJECT PROPERTY BEING SUBDIVIDED
- PROPOSED SUBDIVISION LINE
- EXISTING PROPERTY/RIGHT-OF-WAY LINE
- SECTION LINE
- EXISTING EDGE OF PAVEMENT
- EXISTING ELECTRIC (OVERHEAD)
- FH FIRE HYDRANT
- SDMH STORM DRAIN MANHOLE
- SSMH STORM DRAIN MANHOLE
- STL STREETLIGHT
- M.C.O.R. MADERA COUNTY OFFICIAL RECORDS
- PUE PUBLIC UTILITY EASEMENT

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:  
Parcel B of Parcel Map No. 07-P-04, in the City of Madera, County of Madera, State of California, recorded June 19, 2007, in Book 57, Pages 40 and 41 of Parcel Maps, Madera County Records.

PREPARED BY:

YAMABE & HORN ENGINEERING, INC.  
2985 N. BURL AVE., SUITE 101  
FRESNO, CALIFORNIA 93727  
PH. (559) 244-3123

OWNER/SUBDIVIDER:

FULL THROTTLE SUSPENSION  
3551 WEST ASHLAN AVENUE  
FRESNO, CA, 93722  
PH. (559) 271-8685

- EXISTING TREES  
NO EXISTING TREES
- EXISTING BUILDINGS  
NO EXISTING BUILDINGS
- EXISTING USE  
I - INDUSTRIAL
- EXISTING ZONING  
I - INDUSTRIAL
- PROPOSED USE  
C-1 - LIGHT COMMERCIAL
- PROPOSED ZONING  
C-1 - LIGHT COMMERCIAL
- SOURCE OF WATER  
CITY OF MADERA
- SOURCE OF SEWAGE DISPOSAL  
CITY OF MADERA
- SOURCE OF ELECTRICITY  
NONE
- SOURCE OF GAS  
PG&E
- SOURCE OF CABLE T.V.  
N/A
- SOURCE OF TELEPHONE  
N/A
- ASSESSOR'S PARCEL NUMBER  
013-050-06
- SITE AREA  
GROSS: 10.86 ACRES, MORE OR LESS  
NET: 9.63 ACRES, MORE OR LESS



**Yamabe & Horn  
Engineering, Inc.**  
CIVIL ENGINEERS • LAND SURVEYORS  
2985 N. BURL AVENUE SUITE 101 FRESNO, CA 93727  
TEL (559) 244-3123 WEBSITE YANDHENG.COM



## **Attachment 5: Planning Commission Resolution**



**RESOLUTION NO. 1924**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA  
ADOPTING CATEGORICAL EXEMPTIONS PURSUANT TO CEQA GUIDELINES  
SECTION 15301 (EXISTING FACILITIES) AND SECTION 15315 (MINOR LAND  
DIVISIONS), APPROVING MODIFICATION TO CONDITIONAL USE PERMIT 2019-  
04 AND APPROVING TENTATIVE PARCEL MAP 2021-03**

**WHEREAS**, Frank Bertao (“Owner”) owns an existing commercial building and property at 2587 Condor Drive in Madera, California APN 013-050-006 (“site”); and

**WHEREAS**, the site contains an existing commercial building that engages in and is planned for heavy commercial uses; and

**WHEREAS**, the site is subject to a previously approved site plan review (SPR) which allows for and guides heavy commercial development on APN (013-050-006), as proposed by Site Plan Review (SPR) 2019-05; and

**WHEREAS**, the owner is seeking a modification to the existing conditional use permit (CUP) which allow the use of the property for light manufacturing in association with Full Throttle Suspension LLC permitted by CUP 2019-03 as well as for outdoor display of certain automotive products on the site permitted by CUP 2019-04; and

**WHEREAS**, The owner of the property seeks to abandon CUP 2019-03 to combine those permitted activities into the modified CUP 2019-04, resulting in a comprehensive use permit CUP 2019-04 MOD; and,

**WHEREAS**, the City performed a preliminary environmental assessment of this project and, based on this preliminary environmental assessment, determined that this project falls within the Categorical Exemption set forth in Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) as the project involves negligible or no expansion of existing facilities as well as the exemption set forth in Section 15315 (Minor Land Divisions) as the division results in less than five parcels; and

**WHEREAS**, a Categorical Exemption has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq.; and

**WHEREAS**, under the City’s Municipal Code, the Planning Commission is authorized to review and approve conditional use permits, tentative parcel maps, and environmental assessments for associated projects on behalf of the City; and

**WHEREAS**, the City provided notice of the Planning Commission hearing as required by law; and

**WHEREAS**, the Planning Commission received and reviewed CUP 2019-04 MOD and TPM 2021-03 at a duly noticed meeting on July 12, 2022; and

**WHEREAS**, a public hearing was held, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Planning Commission; and



**WHEREAS**, the Planning Commission now desires to adopt Categorical Exemptions for the project, and approve CUP 2019-04 MOD and TPM 2021-03, with conditions.

**NOW THEREFORE**, be it resolved by the Planning Commission of the City of Madera as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein.

2. CEQA: The Planning Commission finds and determines that the project is exempt under Sections 15301 and 15315 of the State CEQA Guidelines because the project will occupy an existing building on an existing lot with existing services and utilities, and any modifications to the structure and property will only be minor interior and exterior changes involving negligible or no expansion of existing or former commercial use. Also, the division of the parcel will result in fewer than five parcels, the parcel has not been the result of a subdivision in the last two years, and the average slope is less than ten percent. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.

3. Findings for CUP 2019-04 MOD: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support the approval of CUP 2019-04 MOD, as conditioned. With conditions, the project is consistent with the requirements of the Municipal Code, including Section 10-3.1307. The Planning Commission further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:

a. The proposal is consistent with the General Plan and Zoning Ordinance.

Basis for Finding: The property is zoned C-2 (Heavy Commercial), which is consistent with the existing General Plan land use designation of C (Commercial). As conditioned, CUP 2019-04 MOD is consistent with the purpose and intent of the C-2 (Heavy Commercial) zone district and does not conflict with City standards or other provisions of the Code.

b. The proposed use will be compatible with the surrounding properties.

Basis for Finding: The project site is suited for and previously approved for the permitted uses. The project site is located within an existing light industrial corridor and is adjacent to other shipping and light manufacturing operations to the north, west and south, with isolated residential use to the east.

c. The establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the city.

Basis for Finding: As discussed above, the proposed use is compatible with surrounding properties and will not have a significant, adverse environmental impact. The Madera Police Department has reviewed the project and did not oppose the proposed use, and there is no evidence in the administrative record of the following:



- The commission of three or more violent felonies (crimes against the person) and/or narcotic or dangerous drug sales within the subject premises or in the area immediately adjacent thereto.
- The arrest of the owner and/or an employee for violations occurring within the subject premises, or in the area immediately adjacent thereto, which violations can be found to be reasonably related to the operation of the business.
- The sustaining by the subject premises of an administrative suspension or revocation or other such sanction as may be imposed by the California State Department of Alcoholic Beverage Control, including payment in lieu of such suspension or revocation.
- The failure by the owner or other person responsible for the operation of the premises to take reasonable steps to correct objectionable conditions after having been placed on notice by the official of the City that such conditions exist. Such official may include, but not be limited to the: Code Enforcement Officer, Police Chief, Fire Marshall or City Attorney. Objectionable conditions may include, but not be limited to, disturbance of the peace, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, loitering, public urination, lewd conduct, drug trafficking or excessive loud noise. Such conduct shall be attributable to the subject premises whether occurring within the subject premises or in the area immediately adjacent thereto.

4. Findings for TPM 2021-03: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support the approval of TPM 2021-03, as conditioned. With conditions, the project is consistent with the requirements of the Municipal Code, including Section 10-2.501 et seq. The Planning Commission further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:

- a. The proposed subdivision, together with its provisions for its design and improvements, is consistent with applicable general or specific plans adopted by the city.

Basis for Finding: All the parcels resulting from the proposed division of land will be consistent with the area, setback, coverage, and all other requirements of their designated zone (Heavy Commercial) and General Plan designation (Commercial). No specific plan applies to this parcel.

- b. The proposal is consistent with the Subdivision Ordinance and the California State Subdivision Map Act.

Basis for Finding: The proposed parcel map and required supporting documents are consistent with the requirements of the Madera Municipal Code. In addition, none of the exemptions listed in the State Subdivision Map Act 66412 apply and all other requirements of the Act are satisfied.

5. Approval of CUP 2019-04 MOD and TPM 2021-03: Given that all findings can be made, the Planning Commission hereby approves CUP 2019-04 MOD and TPM 2021-03 as conditioned as set forth in the Conditions of Approval attached as Exhibit "A."

6. Effective Date: This resolution is effective immediately.



\* \* \* \* \*

Passed and adopted by the Planning Commission of the City of Madera this 12<sup>th</sup> day of July 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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Robert Gran  
Planning Commission Chairperson

Attest:

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Gary Conte  
Planning Manager

Exhibit "A" – Conditions of Approval for CUP 2019-04 MOD and TPM 2021-03



**EXHIBIT "A"**  
**CUP 2019-04 MOD AND TPM 2021-03**  
**(FULL THROTTLE SUSPENSION)**  
**CONDITIONS OF APPROVAL**  
**July 12, 2022**

**Notice to Applicant**

In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedications, reservations, or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within ninety (90) calendar days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

**IMPORTANT: PLEASE READ CAREFULLY**

This project is subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies; those determined through site plan review, and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community; and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Approval of this permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development.

Approval of this permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this permit, the zoning ordinance, and all City standards and specifications. This permit is granted, and the conditions imposed, based upon the application submittal provided by the applicant, including any operational statement. The application is material to the issuance of this permit. Unless the conditions of approval specifically require operation inconsistent with the application, a new or revised permit is required if the operation of this establishment changes or becomes inconsistent with the application. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the permit or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the review process or for additions or alterations to any construction or building plans not specifically submitted and reviewed and approved pursuant to this permit or subsequent amendments or revisions. These conditions are conditions imposed solely upon the permit as delineated herein and are not conditions imposed on the City or any third party. Likewise, imposition of conditions to ensure compliance with federal, state, or local laws and regulations does not preclude any other type of compliance enforcement.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings can be made.



All discretionary conditions of approval for CUP 2019-04 MOD will ultimately be deemed mandatory unless appealed by the applicant to the City Council within fifteen (15) days after the decision by the Planning Commission. In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval, you may do so by filing a written appeal with the City Clerk. The appeal shall state the grounds for the appeal and wherein the Commission failed to conform to the requirements of the zoning ordinance. This should include identification of the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld.

These conditions are applicable to any person or entity making use of this permit, and references to "developer" or "applicant" herein also include any applicant, property owner, owner, lessee, operator, or any other person or entity making use of this permit.

### **General Conditions**

1. CUP 2019-04 MOD extinguishes CUP 2019-03 and replaces Conditions 3-5, and 77-79 of the Conditions of Approval for CUPs 2019-03 and 2019-04 and SPR 2019-05 dated February 19, 2019 and strikes any reference to CUPs 2019-03 and 2019-04 from Condition 6. All remaining Conditions of Approval dated February 19, 2019 shall remain in full force and effect, unless previously completed and confirmed by City staff. Conditions outside of those specified above for the previous approvals of the project shall no longer apply. If there is a conflict between the conditions contained herein with any of the previous conditions of approval, the later condition shall apply as confirmed by the Planning Manager. Conditions of Approval being carried forward for SPR 2019-05 are contained herein as "Attachment 1."
2. Approval of this conditional use permit and/or tentative parcel map shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development.
3. Approval of this conditional use permit and/or tentative parcel map may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this conditional use permit/tentative parcel map, the zoning ordinance, and all City standards and specifications. This conditional use permit and this tentative parcel map are granted, and the conditions imposed, based upon the application submittal provided by the applicant, including any operational statement. The application is material to the issuance of this conditional use permit. Unless the conditions of approval specifically require operation inconsistent with the application, a new or revised site plan review is required if the operation is found to be out of conformance with the application. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the permit or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the site plan review process or for additions or alterations to any construction or building plans not specifically submitted and reviewed and approved pursuant to this site plan review or subsequent amendments or revisions. These conditions are conditions imposed solely upon the site plan and are not conditions imposed on the City or any third party. Likewise, imposition of conditions to ensure compliance with federal, state, or local laws and regulations does not preclude any other type of compliance enforcement.



4. These conditions are applicable to any person or entity making use of this conditional use permit, and references to “developer” or “applicant” herein also include any applicant, property owner, owner, lessee, operator, or any other person or entity making use of this conditional use permit/tentative parcel map.
5. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specifically noted in the conditions or mandated by statutes.
6. The applicant/owner shall submit to the City of Madera Planning Department a check in the amount necessary to file a Notice of Exemption at the Madera County Clerk. This amount shall equal the Madera County filing fee in effect at the time of filing. **Such check shall be made payable to the Madera County Clerk and submitted to the City of Madera Planning Department no later than three (3) days following action on CUP 2019-04 MOD and TPM 2021-03.**
7. CUP 2019-04 MOD) shall expire 12 months from date of issuance unless positive action to utilize the CUP or written request for extension has been submitted to the Planning Commission prior to the expiration of this permit (MMC Section 10-3.1311).
8. It shall be the responsibility of the property owner, operator, and/or management to ensure that any required permits, inspections, and approvals from any regulatory agency be obtained from the applicable agency prior to issuance of a building permit and/or the issuance of a certificate of completion, as determined appropriate by the City of Madera Planning Department.
9. TPM 2021-04 shall expire twenty-four (24) months from the effective date, unless a final map is recorded in accordance with the Subdivision Map Act and filed with the County Recorder or the required action is taken to extend the approval before expiration date.
10. Approval of this project is for the benefit of the applicant. The submittal of applications by the applicant for this project was a voluntary act on the part of the applicant not required by the City. Therefore, as a condition of approval of this project, the applicant agrees to defend, indemnify, and hold harmless the City of Madera and its agents, officers, consultants, independent contractors, and employees (“City”) from any and all claims, actions, or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the project, including any challenges to associated environmental review, and for any and all costs, attorneys fees, and damages arising therefrom (collectively “claim”).

The City shall promptly notify the applicant of any claim and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Nothing in this condition shall obligate the City to defend any claim and the City shall not be required to pay or perform any settlement arising from any such claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any claim, and if the City does decide to independently defend a claim, the applicant shall be responsible for City’s attorneys’ fees, expenses of litigation, and costs for that independent defense, including the costs of preparing any required administrative record.



Should the City decide to independently defend any claim, the applicant shall not be required to pay or perform any settlement arising from any such claim unless the applicant approves the settlement.

11. All on-site and off-site requirements listed herein shall be completed in advance of any request for building permit final inspection, occupancy of a building or issuance of a business license unless otherwise noted.

#### **Engineering Department**

12. The developer shall pay all required fees for processing the parcel map and completion of project. Fees due may include but shall not be limited to the following: parcel map review and processing fee, plan review, map recording, easement acceptance, encroachment permit processing and improvement inspection fees.
13. A final parcel map shall be required in accordance with Section 10-2.502 of the municipal code and the Subdivision Map Act.
14. Future subdivision of parcels created shall comply with the Subdivision Map Act.
15. Monuments shall be placed at all parcel corners and shown on the parcel map in accordance with the California Subdivision Map Act, the California Land Surveyors Act and City Standards prior to development of property.
16. Parcel map preliminary submittal shall include three sets of prints; and two sets of the following: title report, soils report, traverse data, signed tentative parcel map conditions and all referenced deeds, map and documents.
17. Any and all public or private easements on the property identified on the title report shall be shown on the parcel map with recording data.
18. Prior to recording of the parcel map, any current, delinquent, or estimated Madera County or Madera Irrigation District taxes for the upcoming assessment year shall be paid in accordance with Subdivision Map Act Section 66492-66494.1.
19. Prior to the construction of improvements within the City right-of-way, an Encroachment Permit shall be required from the Engineering Division.
20. If applicable, all construction of off-site improvements shall be completed prior to issuance of final occupancy.
21. Further development of any parcel of parcel map shall meet fire, building, and municipal code requirements for the zone and the approved use.
22. Structures or any facility encroaching onto adjacent new parcel shall be removed prior to recording of the parcel map. Structure modification shall comply with building codes and setbacks.
23. A title report dated no more than 30 days prior to recording date of parcel map shall be submitted to the City Engineer for review prior to parcel map recordation.



24. Each newly created parcel shall have a separate water service. Any new connection(s) shall be constructed to current City standards including Automatic Meter Reading (AMR) water meter installed within City right-of-way and backflow prevention device installed within private property.
25. Each newly created parcel shall have a separate sewer service. Any new connection(s) shall be constructed to current City standards.
26. The developer shall record a Reciprocal Easement Agreement for ingress/egress, utility, drainage, access for emergency services, and parking easements in the City of Madera standard form. The easements shall provide the mutual right of access for all future uses in the project site. The agreement shall reflect the language included in the Covenant, Conditions, Easements, and Restrictions (CC&R) relating to the maintenance of shared utilities. At a minimum, the Reciprocal Easement Agreement should provide a responsible party and method in which said responsibility is conveyed to future successors. The developer shall be responsible for paying all associated fees to the Engineering Department. If an existing cross access agreement has already been recorded, it shall be revised based upon the proposed changes.
27. The developer shall confirm that the newly created parcels can be serviced by the existing refuse enclosures and containers or construct additional refuse enclosures as required. Shared refuse enclosures shall require recordation of an easement that provides mutual right of access and use of the refuse enclosures to all parcels. If necessary, this item will be included in the Reciprocal Easement Agreement referenced in the previous condition.

#### DRY UTILITIES

28. All existing and proposed public utilities (electric, telephone, cable, etc.) shall be undergrounded, except transformers, which may be mounted on pads. Public utility easements shall be dedicated outside and adjacent to all streets rights-of-way. All public utilities within the project property and adjacent to the project property frontage on peripheral streets (on the development side of the street centerline) shall be placed underground except those facilities exempted by the Public Utilities Commission Regulations or operating at 70,000 volts or greater.

#### **Planning Department**

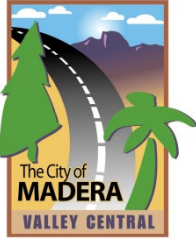
29. CUP 2019-04 MOD allows for outdoor display of vehicles in association with Full Throttle Suspension (FTS). Vehicles displayed shall be confined to limits of Parcel and shall be displayed in a manner consistent with the site plan approved by the Planning Commission on February 19, 2019. The display of vehicles shall be limited to vehicles outfitted with FTS products and accessories.
30. CUP 2019-04 MOD allows for the outdoor storage of goods and materials on Parcel A. Outdoor storage shall be limited to the area enclosed by the 7-foot-high masonry wall. Materials stored shall not be visible from the right of way and therefor shall not be stacked higher than 7 feet. Only saleable goods, components, material, and reusable shipping materials shall be allowed to be stored in this fashion. Any spent or consumable shipping materials shall be considered refuse and shall be disposed of in the area indicated on the site plan approved February 19, 2019. All trash, refuse or waste shall not be visible from any public right of way or adjacent properties and shall be prevented from being dispersed across the property through positive control or enclosure.



31. CUP 2019-04 MOD allows for light manufacturing, assembly, and installation on Parcel A and in association with Full Throttle Suspension (FTS). The permitted activity is associated with the 101,000 square foot facility as shown on the site plan approved February 19, 2019. Any adjustments or expansions to the layout of this facility, shall require a reevaluation and modification to this CUP. For the purposes of CUP 2019-04 MOD, light manufacturing, assembly and installation shall be limited to the following:
- a) Manufacturing of automotive suspension components
  - b) Manufacturing of agricultural equipment
  - c) Powder coating as a component of the manufacturing process
  - d) Machine shop activities associated with manufacturing and assembly of products
  - e) Warehousing of raw materials and finished inventory for sale
  - f) Installation of aftermarket automotive accessories
32. CUP 2019-04 MOD may be made null and void without any additional public hearing at any time wherein both benefactors of the use permit and owners of the property voluntarily submit to the City a written request to permanently extinguish the conditional use permit.
33. In the case that any or all of the activities permitted by CUP 2019-04 MOD are ceased, discontinued, or otherwise abandoned, the permit for the abandoned activity shall be rendered null and void unless an application for extension has been submitted to the Planning Department before the one-year expiration, followed by approval of the request by the Planning Commission.

**- End of Conditions -**





## REPORT TO THE PLANNING COMMISSION

**Prepared by:**

Ricardo Olea, Assistant Planner

**Meeting of:** July 12, 2022

**Agenda Item:** 4

**SUBJECT:**

Hot Box Smoke Shop Conditional Use Permit 2022-05 and Site Plan Review 2022-19

**RECOMMENDATION:**

Conduct a public hearing and:

1. Adopt a resolution adopting a Categorical Exemption Pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule) and Approving a Determination of Use (DOU 2015-01) (Tobacco shops, vape lounges, and hookah bar uses).
2. Adopt a resolution adopting a Finding of Categorical Exemption from CEQA pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and approving Conditional Use Permit 2022-05 and Site Plan Review 2022-19, subject to the findings and conditions of approval.

**PROPOSAL:**

An application for a Conditional Use Permit (CUP) and Site Plan Review (SPR) for consideration to establish a smoke shop and apparel store (Hot Box Smoke Shop) in Suite M of 47<sup>th</sup> Place West, an existing commercial shopping center located at 1930 Howard Road. Shopping center is located at the southeast corner of Howard Road and South Schnoor Avenue. The shop will sell cigarettes and tobacco products and accessories, including vaping products, as well as clothing, shoes, and novelty items. The shop proposes to occupy a vacant tenant space of approximately 970 square feet (sf) in an existing commercial building composed of multiple tenants.

Table 1: Project Overview	
<i>Project Number:</i>	CUP 2022-05, SPR 2022-19
<i>Applicant:</i>	Yassin Mohsen
<i>Property Owner:</i>	Berry & Berry Inc.
<i>Location:</i>	1930 Howard Road, Suite M; Southeast corner of Howard Road and South Schnoor Avenue (APN 009-361-009)
<i>Project Area:</i>	0.716 Acre or 94,213 sf; developed with a commercial shopping center subdivided by units
<i>Plan Land Use:</i>	C – Commercial
<i>Zoning District:</i>	C1 – Light Commercial
<i>Site Characteristics</i>	Commercial shopping center with multiple suites operating as various uses (e.g., bank, restaurants, offices, retail). The proposed Suite is part of Building C



	and covers 970 square feet (sf) of the total 5,935 sf. The parcel is accessed through an approach on South Schnoor Avenue and two approaches on Howard Road.
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## SUMMARY:

The applicant, Yassin Mohsen, proposes to establish and operate a tobacco and apparel shop (Hot Box Smoke Shop) in an existing vacant 970 sf tenant space (Suite M) located within the 47<sup>th</sup> Place West shopping center. The tenant space faces the shopping center parking area and rear of the tenant space abuts Modoc Street. The tenant space can be accessed from a covered walkway paralleling the front of the building facing the shopping center's centralized parking area as well as from a covered entrance leading to Modoc Street. On-street parking is permitted on Modoc Street.

The applicant proposes to sell tobacco and tobacco accessories, as well as clothing, shoes and novelty items. An apparel retail store is consistent with the current C1 (Light Commercial) zone district. The sale of tobacco or tobacco related products, including vaping material are also allowed in C1 district subject to a use permit.

The applicant has indicated interior improvements will be minor and consist of glass display cases, shelving, and registers. A conceptual floor plan of the proposed improvements was not provided by the applicant.

## SURROUNDING LAND USES:

The subject site is surrounded by primarily commercial uses. The tenant space immediately adjacent to the proposed site is occupied by a subway sandwich shop (Full O Bull). The tenant space immediately to the east is vacant. Property immediately to the north, across Howard Avenue and west of the shopping center along Howard Avenue are designated C (Commercial) and zoned for commercial uses (C1 Light Commercial). Property immediately to the south, across Modoc Street are also designated C (Commercial) and is zoned C2 Heavy Commercial. Property immediately to west, across South Schnoor Avenue is designated OS (Open Space) and zoned RCO (Resource Conservation) and is occupied by the Lions Town and Country Park. Table 2 below lists all the immediate uses adjacent to the proposed site.

<b>Table 2: Bordering Site Information</b>			
<i>Direction</i>	<i>Existing Use</i>	<i>Land Use</i>	<i>Zone District</i>
<i>North</i>	Melina Benninghoff Law Office	C – Commercial	C1 – Light Commercial
<i>East</i>	Madera Unified School District Administration Office	C – Commercial	C1 – Light Commercial
<i>South</i>	Good News Ministries	C – Commercial	C2 – Heavy Commercial
<i>West</i>	Lions Town and Country Park	OS – Open Space	RCO – Resource Conservation

## ANALYSIS:

### Site Plan Review

#### *MMC § 10-3.4.0102 Site Plan Review Applicability*

A site plan review is required for all projects which require a use permit, including a change of use where no on-site construction is proposed. 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.

#### Conditional Use Permit

##### *MMC § 10-3.1301 – MMC § 10.3.1311 Use Permits*

The City's Zoning Ordinance allows for the granting of a use permit by the Planning Commission subject to being able to make findings that the establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City. If the Commission cannot make the appropriate findings even after imposing appropriate conditions, the use permit should be denied. Conditions may be attached to the approval of the use permit to ensure compatibility. In addition, the application may be subject to further review, modification, or revocation by the Commission as necessary.

#### Signage

##### *MMC § 10-6.01 – Sign Regulations*

The proposal is subject to Section 10-6.09 of the City's Sign Regulations. No signs are approved with this site plan review and a separate sign permit must be applied for. Permanent window signage is prohibited, and temporary window signage is subject to the City's Sign Regulations. Temporary signage, such as for a grand opening, is subject to a separate sign permit independent from any on building or freestanding sign permit issued.

#### Determination of Use (DOU) 2015-01 – Vapes, Hookah, Smoke Shops

Staff is requesting the City of Madera Planning Commission approve Determination of Use (DOU) 2015-01, allowing tobacco stores, smoke shops, vape lounges, hookah bars, and similar uses to operate in any C1 – Light Commercial, C2 – Heavy Commercial, and I – Industrial zone district subject to the issuance of a use permit. The use, as proposed, is categorized as a smoke shop and is subject to the provisions established by DOU 2015-01.

#### City of Madera Smoking Regulation

##### *MMC § 5-7.03 Prohibition of Smoking in Public Spaces*

On May 15, 2019, the Madera City Council unanimously voted to update the City's ordinance as it relates to smoking in public areas. The updates codified the prohibition of smoking in all public parks in the City of Madera, including electronic smoking devices (e.g., vapes). These updates were triggered by research findings pointing to health hazards directly related to exposure to secondhand smoke. Notable findings as they relate to this proposal are as follows:

- The California Environmental Protection Agency included secondhand smoke on the Proposition 65 list of chemicals known to the State of California to cause cancer, birth defects, and other reproductive harm.
- Evidence continues to build that exposure to electronic smoking device aerosol including secondhand exposure has immediate impacts on the human respiratory and cardiovascular systems, and thus likely poses a risk to human health.



- To be completely free from exposure to secondhand smoke in outdoor places, a person may have to move 20 to 29 feet away from the source of the smoke, about the width of a two-lane road.

In recognition of these findings, staff has included appropriate conditions of approval that contribute to the mitigation of the above-mentioned health hazards. These include prohibiting on-site smoking and limiting sales to cigarettes and tobacco only.

#### Proposed Use and Operations

The applicant proposes to operate a smoke shop and apparel store inside Suite M of 47<sup>th</sup> Place West with no internal or external structural changes proposed. Items offered for sale range from tobacco products, clothing, shoes, tobacco glassware, and other related novelty items. Operations are limited to storefront sales 7 days a week from 9:00 AM to 9:00 PM, with an anticipated maximum of 140 customers.

Title V, Chapter 8 of the MMC prohibits the self-service sale of tobacco products. The proposed project will be required to be equipped with counters to ensure that all buyers are served by sellers, rather than having self-service tobacco products available. This is to prevent the increased incidence of shoplifting and underage smoking.

The applicant has indicated that all tobacco products and tobacco glassware shall be strictly limited to the sale of patrons over the age of 21. Display of tobacco and tobacco related products shall all be within a secured glass display and/or behind the cash register and shall only be accessible to employees of the smoke shop.

#### Parking and Circulation

There are 10 standard parking stalls and one (1) ADA parking stall located directly in front of the existing building that serves Suite M and the adjacent units. There are also additional parking stalls throughout the greater commercial shopping center that can also be utilized by patrons of the proposed use. Off-site parking is also available along Modoc Street.

#### Potential Impacts and Mitigation

The continuous impacts of this use on surrounding properties will be minimal with minor discrete impacts that can be mitigated. The only continuous impact is the minor increase in traffic and parked vehicles from the additional customers that the proposed use is anticipated to attract. As a storefront only use, customers of the smoke shop are not expected to be on-site for long periods of time. Staff has determined that the commercial shopping center in which this proposed use is located within provides sufficient parking space to accommodate this use.

The discrete impacts are related to the close proximity to a public park and the health hazards of secondhand smoke. The applicant proposes to operate their smoke shop in a location that is immediate to a subway sandwich shop that provides outdoor seating for its customers and approximately 250 feet from Lions Town and Country Park, a public park that falls within City jurisdiction. The City has not adopted an ordinance that specifies the length of distance a smoke shop should be from sensitive uses such as parks. However, MMC § 5-7.01 does discuss research findings that state a person should be 20 to 29 feet away from the source of the smoke to be completely free from exposure to secondhand smoke in outdoor places. As such, staff recommends that the applicant and any future benefactor of the use permit be limited to the sale of cigarettes and tobacco only and prohibit on-site smoking. Staff also recommends no signage advertising or suggesting the sale of tobacco or tobacco products visible to the public be permitted.



and that minors are to be prohibited from entering the building or loitering on the premise. These recommendations are consistent with and are reflected in the attached conditions of approval.

#### **ENVIRONMENTAL REVIEW:**

Staff performed a preliminary environmental assessment and has determined that the project is categorically exempt under Section 15301 of the California Environmental Quality Act (CEQA) Guidelines because the project will occupy an existing building on an existing parcel with existing services and utilities, and no modifications or expansion to the structure are to occur. Moreover, no expansion of existing or former commercial uses will occur. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.

#### **COMMISSION ACTION:**

The Commission will be acting on the CUP 2022-05, SPR 2022-19, and the CEQA Categorical Exemption. Staff recommends that the Commission:

1. Adopt a resolution adopting a Categorical Exemption Pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule) and Approving a Determination of Use (DOU 2015-01) (Tobacco shops, vape lounges, and hookah bar uses).
2. Move to adopt a resolution of the Planning Commission adopting a Finding of Categorical Exemption from CEQA pursuant to CEQA Guidelines Section 15301 for the project and approving Conditional Use Permit 2022-05 and Site Plan Review 2022-19, based on and subject to the findings and conditions of approval.

#### **ALTERNATIVES:**

As an alternative, the Commission may elect to:

1. Move to continue the public hearing to the August 9, 2022, Planning Commission hearing with direction to staff to return with an updated staff report, resolution and/or appropriate findings modifying the project and/or conditions of approval for the following reasons: (Specify – Planning Commission should articulate reasons for modifications).
2. Move to continue the public hearing to August 9, 2022 Planning Commission hearing with direction to staff to return within updated resolution with appropriate findings for denial for the following reasons (Specify – Planning Commission should articulate reasons for denial).

#### **ATTACHMENTS:**

1. Aerial map
  2. Site plan
  3. Floor layout
  4. Resolution DOU
  5. Resolution
- Exhibit "A" Conditions of Approval

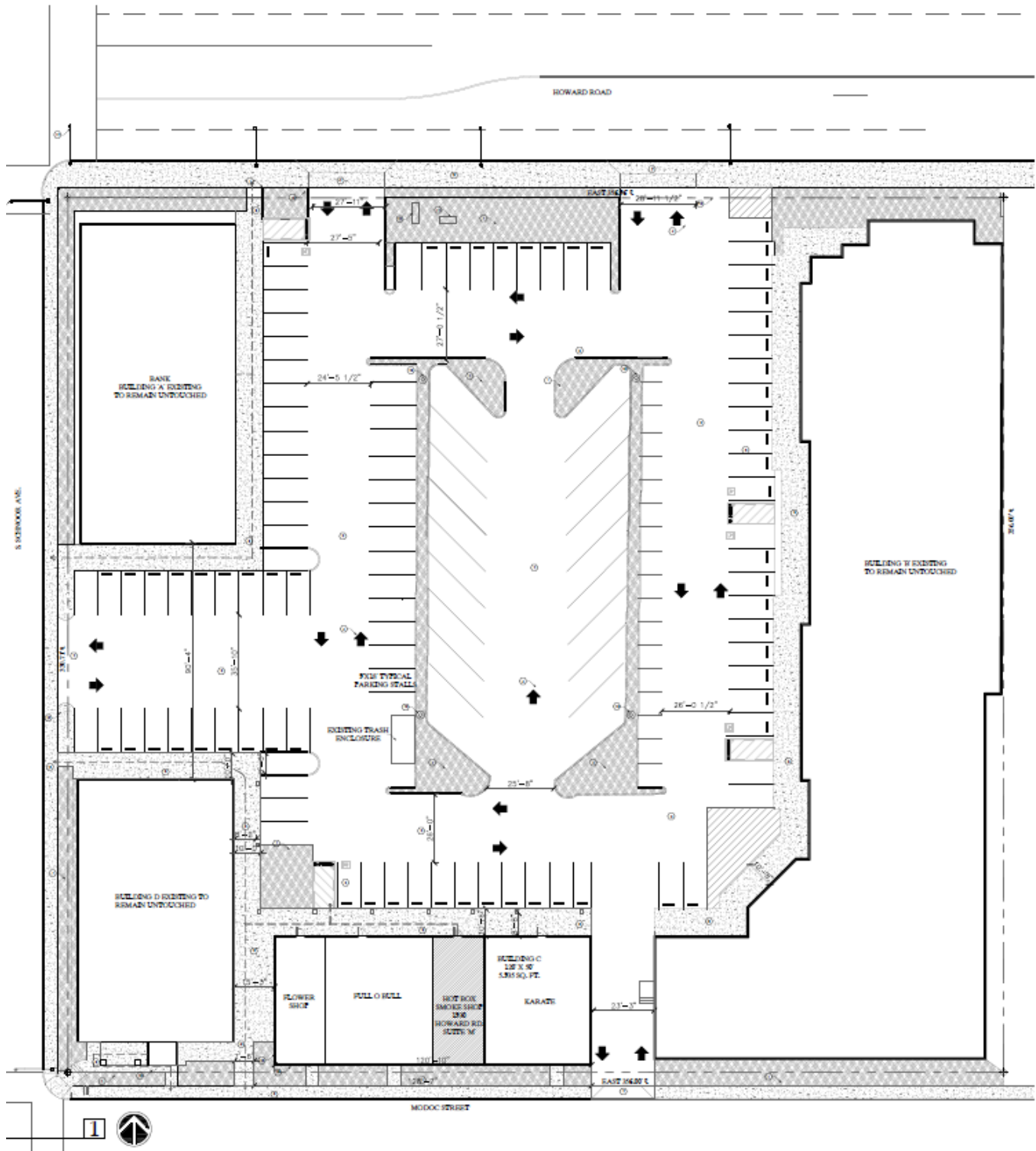


## Attachment 1: Aerial Map



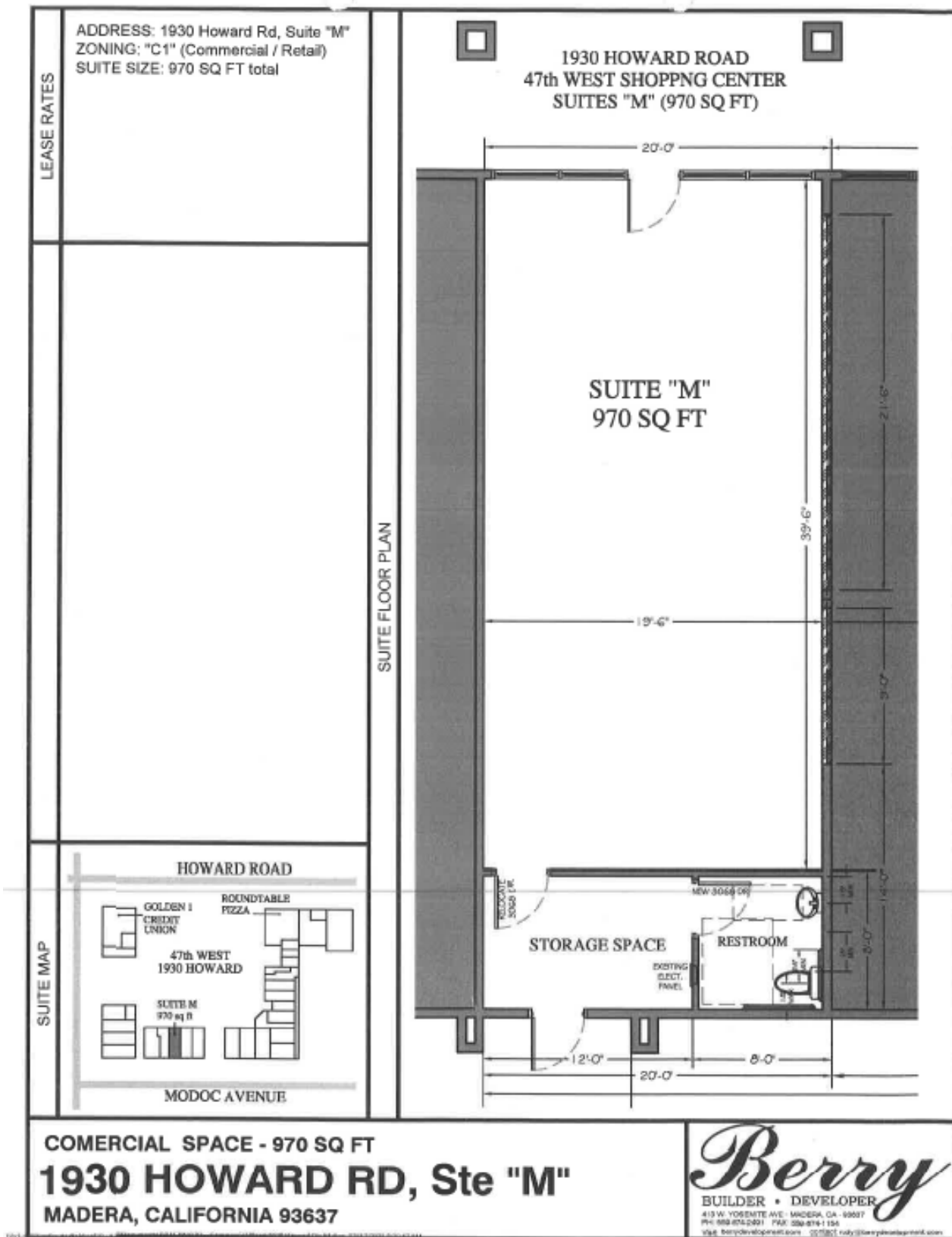


## Attachment 2 – Site Plan





## Attachment 3 – Floor Layout





**Attachment 4: Resolution for DOU**



## **RESOLUTION NO. 1925**

### **RESOLUTION OF THE PLANNING COMMISSION ADOPTING A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3) (GENERAL RULE) AND APPROVING DETERMINATION OF USE (DOU 2015-01) (TOBACCO SHOPS, VAPE LOUNGES, AND HOOKAH BAR USES)**

**WHEREAS**, on September 8, 2015, the Planning Department requested the Planning Commission to make a determination of use in order to allow for the establishment of tobacco stores, smoke shops, vape lounges, hookah bars, and similar uses in C1 – Light Commercial, C2 – Heavy Commercial, and I – Industrial zone districts subject to the approval of conditional use permit by the Planning Commission; and

**WHEREAS**, a use determination is intended to recognize the fact that zoning regulations relating to land use do not address every conceivable use that may be permitted, conditionally permitted, or prohibited within a given zoning district; and

**WHEREAS**, the use determination procedure allows consideration of land use proposals not specifically permitted or prohibited in a zone district, but which may be appropriate uses given their similarity to other permitted or conditionally permitted uses; and

**WHEREAS**, a use determination is not intended to be used and shall not be used in lieu of a zone change; and

**WHEREAS**, the contention behind the staff-initiated request were numerous inquiries regarding the ability to establish varying types of tobacco stores and related uses; and

**WHEREAS**, traditional tobacco stores were typically limited to the sale of tobacco and tobacco related products, including single packs and cartons of cigarettes, pipe tobacco and pipes, lighters and lighter accessories, and other sundries associated with the enjoyment of tobacco; and

**WHEREAS**, tobacco stores have generally been considered a permitted retail use in commercial zone districts under the general observation that, since a general retail and/or department store might also sell these products, then a tobacco store should also be considered a similar and permitted use; and

**WHEREAS**, present-day tobacco stores have evolved to offer more than just tobacco and tobacco related products; and

**WHEREAS**, with the rise of acceptance of recreational cannabis use, tobacco stores now offer and sell a wide range of cannabis related products including, but not limited to smoking glassware specific to cannabis use (e.g., bongs), CBD creams, lotions and other topicals, CBD vapes, CBD consumable products, cannabis enhancement products, and other paraphernalia specific to the enjoyment of recreational cannabis use; and

**WHEREAS**, tobacco stores have also begun to market and sell hookah products (e.g., flavored charcoal), electronic cigarette (e-cig) devices (e.g., vapes), flavored juices for the use of e-cigs, and batteries and other accessories for the use of “vaping”; and

**WHEREAS**, there is growing tendency for tobacco stores to provide “lounge areas” for their patrons to sample or simply enjoy their products on-site; and



**WHEREAS**, the shift from store-front tobacco stores limited to the sale of tobacco products only to tobacco stores that offer lounge areas and products not related to tobacco changes the complexity of everyday operations; and

**WHEREAS**, the increase of intensity of the “new” tobacco store changes the relationship of the tobacco store to other uses in close proximity and may render the use incompatible with surrounding uses in any given location; and

**WHEREAS**, additional analysis for each individual tobacco store or similar use proposal is required to determine its compatibility and impact on existing and future surrounding uses on a case-by-case basis; and

**WHEREAS**, staff therefore requested the Planning Commission to make a determination of use requiring tobacco stores, smoke shops, vape lounges, hookah bars, and related uses be allowed in C1 – Light Commercial, C2 – Heavy Commercial, and I – Industrial zone districts, subject to the approval of conditional use permit on a case-by-case basis; and

**WHEREAS**, under the City’s Municipal Code, the Planning Commission is authorized to review and approve requests for use determinations on uses not explicitly mentioned as permitted, conditionally permitted, or prohibited uses; and

**WHEREAS**, the City provided notice of the Planning Commission hearing as required by law; and

**WHEREAS**, the Planning Commission received and reviewed DOU 2015-01 at a duly noticed meeting on September 8, 2015; and

**WHEREAS**, a public hearing was held, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Planning Commission; and

**WHEREAS**, the Planning Commission now desires to adopt a Categorical Exemption for this activity pursuant to CEQA and approve DOU 2015-01.

**NOW THEREFORE**, be it resolved by the Planning Commission of the City of Madera as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein.
2. CEQA Recommendation: A preliminary environmental assessment was prepared for this activity in accordance with the requirements of the California Environmental Quality Act (CEQA). The Planning Commission finds and determines that the request for a use determination is exempt under Section 15061(b)(3) (General Rule) of the State CEQA Guidelines because the activity is covered by the common sense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
3. Findings to Approve DOU 2015-01: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support the approval of DOU 2015-01. The Planning Commission further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:



- a. Tobacco stores, smoke shop, vape lounges, hookah bars and similar businesses possess operational characteristics that merit the review of the Planning Commission on a case-by-case basis.
  - b. The Planning Commission hereby determines that tobacco stores, smoke shops, vape lounges, hookah bars and similar uses shall be allowed in the C1 – Light Commercial, C2 – Heavy Commercial and I – Industrial zoned districts subject to the approval of a conditional use permit by the Planning Commission on a case-by-case basis.
  - c. The Planning Commission hereby determines that the allowance for tobacco stores, smoke shops, vape lounges, hookah bars and similar uses in the C1 – Light Commercial, C2 – Heavy Commercial and I – Industrial zoned districts, subject to the approval of a conditional use permit by the Planning Commission, provides consistency with the Zoning Ordinance.
  - d. The determination that tobacco stores, smoke shops, vape lounges, hookah bars and similar uses shall be allowed in the C1 – Light Commercial, C2 – Heavy Commercial and I – Industrial zoned districts subject to the approval of a conditional use permit by the Planning Commission is consistent with the Madera General Plan principles, goals, and policies.
4. Approval of DOU 2015-01: Given that all findings can be made, the Planning Commission hereby approves DOU 2015-01.
5. Effective Date: This resolution is effective immediately.

\* \* \* \* \*



Passed and adopted by the Planning Commission of the City of Madera this 12<sup>th</sup> day of July 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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Robert Gran Jr.  
Planning Commission Chairperson

Attest:

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Gary Conte, AICP  
Planning Manager



## **Attachment 5: Planning Commission Resolution**



**RESOLUTION NO. 1926**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA  
ADOPTING A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES  
SECTION 15301 (EXISTING FACILITIES), APPROVING CONDITIONAL USE PERMIT  
(CUP 2022-05), AND SITE PLAN REVIEW (SPR 2022-19) (HOT BOX SMOKE SHOP-  
1930 HOWARD RD, SUITE M)**

**WHEREAS**, Berry Construction & Development Inc. (“Owner”) owns 47<sup>th</sup> Place West Shopping Center located at 1930 Howard Road in Madera, California (“site”); and

**WHEREAS**, the site is an existing commercial shopping center planned for and surrounded by commercial uses; and

**WHEREAS**, Yassin Mohsen (“Applicant”) proposes to operate a smoke shop and apparel store in Suite M of 47<sup>th</sup> Place West Shopping Center

**WHEREAS**, on July 12, 2022 City of Madera Planning Commission approved Determination of Use (DOU) 2015-01, allowing tobacco stores, smoke shops, vape lounges, hookah bars, and similar uses to operate in any C-1, C-2, and I zone districts subject to the issuance of a use permit; and

**WHEREAS**, the Applicant’s proposal is subject to a conditional use permit (CUP) pursuant to DOU 2015-01; and

**WHEREAS**, on May 15, 2019 Madera City Council unanimously voted to update the City’s smoking regulation to prohibit smoking in public parks based on research findings highlighting health hazards related to secondhand smoke; and

**WHEREAS**, the City has not adopted an ordinance that specifies the length of distance a smoke shop should be from public parks; and

**WHEREAS**, the proposed smoke shop is 250 feet away from Lions Town and Country Park, a City-owned public park; and

**WHEREAS**, according to the research presented to City Council at the May 15, 2019 Council hearing, a person should be 20 to 29 feet away from the source of the smoke to be completely free from exposure to secondhand smoke; and

**WHEREAS**, the distance between the proposed site and Lions Town and Country Park is sufficient enough to eliminate exposure to and impacts of secondhand smoke; and

**WHEREAS**, staff has included conditions that prohibit on-site smoking to contribute to mitigation of secondhand smoke impacts; and

**WHEREAS**, tobacco and tobacco products are strictly limited to the sale of patrons over the age of 21; and

**WHEREAS**, a Categorical Exemption under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities) has been prepared for the proposed project in accordance with CEQA, Public Resources Code Section 21000 et. Seq.; and



**WHEREAS**, under the City's Municipal Code, the Planning Commission is authorized to review and approve conditional use permits and environmental assessments for associated projects on behalf of the City; and

**WHEREAS**, the City provided notice of the Planning Commission hearing as required by law; and

**WHEREAS**, the Planning Commission received and reviewed CUP 2022-05 and SPR 2022-19 at a duly noticed meeting on July 12, 2022; and

**WHEREAS**, a public hearing was held, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Planning Commission; and

**WHEREAS**, the Planning Commission now desires to adopt a Categorical Exemption for the project pursuant to CEQA and approve CUP 2022-05 and SPR 2022-19.

**NOW THEREFORE**, be it resolved by the Planning Commission of the City of Madera as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein.
2. CEQA Recommendation: A preliminary environmental assessment was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA). The Planning Commission finds and determines that the project is exempt under Section 15301 (Existing Facilities) of the State CEQA Guidelines because the project will occupy an existing building on an existing lot with existing services and utilities, and any modifications to the structure will only be minor interior changes involving negligible or no relative expansion of use. The proposed project is consistent with applicable general plan designations and policies and is served by all required services and utilities. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.
3. Findings to Approve CUP 2022-05: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support the approval of CUP 2022-05, as conditioned. The Planning Commission further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:

*Finding a: The proposal is consistent with the General Plan and Zoning Ordinance.*

The General Plan designates the subject site for commercial uses and is consistent with its zoning district of C1 – Light Commercial. CUP 2022-05 is found to be consistent with all regulations set forth by MMC § 10 3.405 (Uses).

*Finding b: The proposed use will be compatible with the surrounding properties.*

The project site is suited for commercial uses. The proposal is for an existing building zoned commercial and is surrounded by like uses to the north, east, and west of the property. As conditioned, the use will be compatible with surrounding properties and is consistent with applicable requirements regulating such use.

*Finding c: The establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the*



*health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the city.*

The proposed use will not result in a detriment to the health, safety, peace, morals, comfort, or general welfare of persons or property in the surrounding area. The operations of this proposal have been conditioned by staff to mitigate health hazard concerns related to second-hand smoke and underage smoking. These conditions ensure that the general welfare and safety of the surrounding uses and the City at large are not negatively impacted.

4. Findings to Approve SPR 2022-19: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support the approval of SPR 2022-19, as conditioned. The Planning Commission further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:

*Finding a: The proposal is consistent with the General Plan and Zoning Ordinance.*

In allowing this establishment to expand their business to include alcohol sales, these entitlements support Vision Madera 2025 and encourage, “economic opportunities and underscores the need to attract commercial and retail businesses and to encourage residents to buy locally” (City of Madera General Plan, p. 1-2).

*Finding b: The proposal is consistent with any applicable specific plans.*

The property is not located within the boundary of a specific plan.

*Finding c: The proposed project includes facilities and improvements; vehicular and pedestrian ingress, egress, and internal circulation; and location of structures, services, walls, landscaping, and drainage that are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, there will be no adverse effects on surrounding property, light is deflected away from adjoining properties and public streets, and environmental impacts are reduced to acceptable levels.*

The project has been reviewed and is consistent with the surrounding uses and with all applicable requirements for development in a C1 – Light Commercial zone district. There are no public right improvements required and on-site utilities are consistent with City standards. Review of the site determined that the project would not result in a significant generation of noise, light, and traffic.

*Finding d: The proposed project is consistent with established legislative policies relating to traffic safety, street dedications, street improvements, and environmental quality.*

SPR 2022-19 will not have a significant impact on traffic or the environment. With the conditions imposed, the project will not be detrimental or injurious to property and improvements in the neighborhood or general welfare of the City.



5. Approval of CUP 2022-05 and SPR 2022-19: Given that all findings can be made, the Planning Commission hereby approves CUP 2022-05 and SPR 2022-19 as conditioned and set forth in the Conditions of Approval attached as Attachment A.
6. Effective Date: This resolution is effective immediately.

\* \* \* \* \*

Passed and adopted by the Planning Commission of the City of Madera this 12<sup>th</sup> day of July 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

---

Robert Gran Jr.  
Planning Commission Chairperson

Attest:

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Gary Conte, AICP  
Planning Manager

Exhibit A: Conditions of Approval for CUP 2022-05 and SPR 2022-19



**EXHIBIT "A"**  
**CUP 2022-05 & SPR 2022-19 (HOTBOX SMOKE SHOP)**  
**CONDITIONS OF APPROVAL**  
**July 12, 2022**

**Notice to Applicant**

In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedications, reservations, or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within ninety (90) calendar days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

**IMPORTANT: PLEASE READ CAREFULLY**

This project is subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies; those determined through site plan review, and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community; and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Approval of this permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development.

Approval of this permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this permit, the zoning ordinance, and all City standards and specifications. This permit is granted, and the conditions imposed, based upon the application submittal provided by the applicant, including any operational statement. The application is material to the issuance of this permit. Unless the conditions of approval specifically require operation inconsistent with the application, a new or revised permit is required if the operation of this establishment changes or becomes inconsistent with the application. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the permit or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the review process or for additions or alterations to any construction or building plans not specifically submitted and reviewed and approved pursuant to this permit or subsequent amendments or revisions. These conditions are conditions imposed solely upon the permit as delineated herein and are not conditions imposed on the City or any third party. Likewise, imposition of conditions to ensure compliance with federal, state, or local laws and regulations does not preclude any other type of compliance enforcement.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings can be made.



All discretionary conditions of approval for CUP 2022-05 will ultimately be deemed mandatory unless appealed by the applicant to City Council within fifteen (15) days after the decision of the Planning Commission, and all discretionary conditions of approval for SPR 2022-19 will ultimately be deemed mandatory unless appealed by the applicant to the City Council within ten (10) days after the decision by the Planning Commission. In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval, you may do so by filing a written appeal with the City Clerk. The appeal shall state the grounds for the appeal and wherein the Commission failed to conform to the requirements of the zoning ordinance. This should include identification of the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld.

These conditions are applicable to any person or entity making use of this permit, and references to "developer" or "applicant" herein also include any applicant, property owner, owner, successors-in-interest, lessee, operator, or any other person or entity making use of this permit. Furthermore, "project site" refers to the portions of 1930 Howard Road that are being developed under CUP 2022-05 and SPR 2022-19. The following conditions apply only to these portions of the subject site, unless specifically noted otherwise.

### Conditions of Approval

- Conditional Use Permit 2022-05 (Sale of Tobacco Products) is subject to Conditions of Approval Nos. 1 through 26 through 38.
- Site Plan Review 2022-19 is subject to Conditions of Approval

### General

1. Approval of this conditional use permit and site plan review shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or the designer to disclose and delineate all facts and information relating to the subject property and the proposed development.
2. Approval of this conditional use permit and site plan review shall become null and void if the applicant, the operators, and/or successor is found to be in violation of all City and State regulation regulating tobacco sales.
3. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specifically noted in the conditions or mandated by statutes.
4. The applicant shall submit to the City of Madera Planning Department a check in the amount necessary to file a Notice of Exemption at the Madera County Clerk. This amount shall equal the Madera County filing fee in effect at the time of filing. **Such check shall be made payable to the Madera County Clerk and submitted to the City of Madera Planning Department no later than three (3) days following action on CUP 2022-05 and SPR 2022-19.**
5. CUP 2022-05 shall expire 12 months from date of issuance, unless positive action to utilize the CUP or a written request for extension has been submitted to the Planning Commission before the expiration of the CUP (MMC Section 10-3.1311, Termination and Revocation).



6. SPR 022-19 shall expire one year from date of issuance, unless a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion of the site or structures which were the subject of the site plan or the required action is taken to extend the approval before the expiration date (MMC Section 10-3.4.0114, Lapse of Site Plan Approval).
7. It shall be the responsibility of the property owner, operator, and/or management to ensure that any required permits, inspections, and approvals from any regulatory agency be obtained from the applicable agency prior to issuance of a building permit and/or the issuance of a certificate of completion, as determined appropriate by the City of Madera Planning Department.
8. Minor modifications to the approved plans necessary to meet regulatory, engineering, or similar constraints may at the discretion of the Planning Manager without an amendment to CUP 2022-05 and/or SPR 2022-19. However, should the Planning Manager determine that modifications are substantive, he/she may require that an amendment to CUP 2022-05 and/or SPR 2022-05 be filed for review and approval through the applicable City process.
9. Deferrals are not permitted for any condition included herein, unless otherwise stated or unless approved by the City Council, through a separate deferral process.
10. All construction shall cease, and the Planning Manager and City Engineer shall be notified immediately if any prehistoric, archaeological, or fossil artifact or resource is uncovered during construction. All construction shall immediately stop and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained, at the applicant's and/or successors-in-interest's expense, to evaluate the find(s) and recommend appropriate action according to Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines. If avoidance is infeasible, other appropriate measures would be instituted. Work may proceed on other parts of the project subject to direction of the archaeologist while assessment of historic resources or unique archaeological resources is being carried out.
11. All construction shall cease if any human remains are uncovered, and the Planning Manager, City Engineer and County of Madera Coroner shall be notified in accordance to Section 7050.5 of the California Health and Safety Code. If human remains are determined to be those of a Native American or has reason to believe that they are those of a Native American, the Native American Heritage Commission shall be contacted, and the procedures outlined in CEQA Section 15064.5(e) shall be followed.
12. Approval of CUP 2022-05 and SPR 2022-19 is for the benefit of the applicant. The submittal of applications by the applicant for this project was a voluntary act on the part of the applicant not required by the City. Therefore, as a condition of approval of this project, the applicant agrees to defend, indemnify, and hold harmless the City of Madera and its agents, officers, consultants, independent contractors, and employees ("City") from any and all claims, actions, or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the project, including any challenges to associated environmental review, and for any and all costs, attorneys fees, and damages arising therefrom (collectively "claim").

The City shall promptly notify the applicant of any claim and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.



Nothing in this condition shall obligate the City to defend any claim and the City shall not be required to pay or perform any settlement arising from any such claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any claim, and if the City does decide to independently defend a claim, the applicant shall be responsible for City's attorneys' fees, expenses of litigation, and costs for that independent defense, including the costs of preparing any required administrative record. Should the City decide to independently defend any claim, the applicant shall not be required to pay or perform any settlement arising from any such claim unless the applicant approves the settlement.

13. 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 surrounding properties.

#### **Planning Department**

14. The project site shall be developed in conformance with the site plan as reviewed and approved under CUP 2022-05 and SPR 2022-19. Minor modifications to the site plan, which are necessary to meet regulatory, engineering, or similar constraints or requirements may be made at the discretion of the Planning Manager without an amendment to CUP 2022-05 and SPR 2022-19. However, should the Planning Manager determine that modifications are substantive, he/she may require that an amendment to CUP 2022-05 and SPR 2022-19 be filed for review and approval through the applicable City process.
15. Any proposed future modifications to the site, including, but not limited to, the building structural exteriors, parking/loading areas, shall require an amendment to CUP 2022-05 and SPR 2022-19.
16. All on-site improvements shall be completed prior to final building inspection and shall be completed in conformance with CUP 2022-05 and SPR 2022-19 to the satisfaction of the City of Madera prior to issuance of a certificate of completion.
17. The project site 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, operator, and/or manager may be subject to corrective action.
18. Vandalism and graffiti shall be corrected in accordance with the provisions of the Madera Municipal Code.
19. The property owner, operator, and/or manager shall operate the site in a manner that does not generate noise, odor, blight, or vibration that adversely affects adjacent properties.
20. The property owner, operator, and/or manager shall keep the property clear of all trash, rubbish, and debris at all times.
21. Hours of business operation shall be limited as follows:
  - a. Monday through Sunday from 9:00 AM to 9:00 PM.

#### **Signage**

22. No signs are approved as part of CUP 2022-05 and SPR 2022-19. Signs shall be reviewed and approved under separate permit in accordance with the Madera Municipal Code.
23. No window signs shall be permitted.



24. No promotional signage and/or displays promoting tobacco or tobacco products shall be utilized in any way on the exterior of the building or be visible from the exterior of the building.
25. The property/applicant and/or benefactors of CUP 2021-04 shall post a “No Smoking” signage to the extent required by law.

**Conditional Use Permit 2022-05**

26. No one under the age of 21 years old shall be permitted to enter the premise or permitted to be an employee.
27. CUP 2022-05 allows for the sale of cigarettes in either single packs or cartons of 10 or fewer packs.
28. The sale of single cigarettes shall be prohibited.
29. Other tobacco-related products allowed for sale shall be as follows:
  - a. Smokeless tobacco
  - b. Roll-your-own pouched/canned cigarette tobacco
  - c. Cigars and cigarillos (except for any flavored products such as, but not limited to, grape, watermelon, bubblegum and fruit punch flavored products)
  - d. Rolling papers
30. Sale of the following tobacco and tobacco related products shall be prohibited:
  - a. Vape products, including juices
  - b. Hookah products, including hookah tobacco/charcoal
  - c. E-cigarettes
  - d. Pipes and pipe tobacco
31. Sale of drug related paraphernalia such as bongs, pipes and other product meant for use with non-tobacco substances as determined by the Planning Manager shall be prohibited.
32. Display of tobacco and tobacco related products shall all be within a secured glass display and/or behind the cash register and shall only be accessible to employees.
33. All tobacco products and tobacco glassware are strictly limited to the sale of patrons over the age of 21.
34. On-site smoking shall be prohibited.
35. Business owner and/or employees of the smoke shop shall require a government issued ID to verify age to be able to purchase any tobacco products.
36. The property owner, operator, and/or manager, and/or benefactor of CUP 2022-05 shall comply with all federal, state and local laws. Material violations of any of those laws concerning the use(s) may be cause for revocation of said permit. Such conditions that constitute such violation include, but are not limited to:
  - a. The commission of three or more violent felonies (crimes against the person) and/or narcotic or dangerous drug sales within the subject premises or in the area immediately adjacent thereto.



- b. The arrest of the owner and/or an employee for violations occurring within the subject premises, or in the area immediately adjacent thereto, which violations can be found to be reasonably related to the operation of the business.
  - c. The sustaining by the subject premises of an administrative suspension or revocation or other such sanction as may be imposed by the California State Department of Alcoholic Beverage Control, including payment in lieu of such suspension or revocation.
  - d. The failure by the owner or other person responsible for the operation of the premises to take reasonable steps to correct objectionable conditions after having been placed on notice by the official of the City that such conditions exist. Such official may include, but not be limited to the: Code Enforcement Officer, Police Chief, Fire Marshall or City Attorney. Objectionable conditions may include, but not be limited to, disturbance of the peace, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, loitering, public urination, lewd conduct, drug trafficking or excessive loud noise. Such conduct shall be attributable to the subject premises whether occurring within the subject premises or in the area immediately adjacent thereto.
37. CUP 2022-05 shall be subject to periodic reviews and inspections by the City to determine compliance with the conditions of approval and applicable codes. If, at any time, the use is determined by staff to be in violation of the conditions of approval, staff may schedule an item before the Planning Commission so that it may be determine whether to consider setting a hearing regarding revocation of the permit.
38. Any action taken by the owner, applicant, its operators and/or successors found to be in violation of any of the provisions set forth the MMC smoking regulation shall render CUP 2022-05 revocable.

#### **Building Department**

39. A building permit is required for all construction on site.

#### **Fire Department**

40. A Knox key box is required for access by emergency responders if not already existing.
41. Portable fire extinguishers are required per the California Fire Code.
42. Egress paths shall meet California Building Code and California Fire Code.

#### **Engineering Department**

##### General

43. Deferrals are not permitted for any condition included herein, unless otherwise stated.
44. Nuisance onsite lighting shall be redirected as requested by City Engineer within 48 hours of notification.



45. 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.
46. Improvements within the City right-of-way require an Encroachment Permit from the Engineering Division.

#### Sewer

47. New or existing sewer service connection(s) shall be constructed or upgraded to current City standards. Each parcel shall have a separate sewer service.
48. Existing sewer service connections that will not be used for the project shall be abandoned at the mains per current City of Madera standards.

#### Water

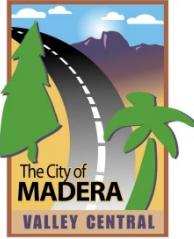
49. New or existing water service connection(s) shall be constructed or upgraded to current City standards including Automatic Meter Reading (AMR) water meter installed within City right-of-way and backflow prevention device installed within private property. Each parcel shall have a separate domestic water service.
50. Existing water service connections that will not be used for the project shall be abandoned at the mains per City of Madera standards.

#### Streets

51. The developer shall repair or replace all broken or damaged concrete improvements including curb, gutter and sidewalk to current City and ADA standards. Limits of repairs shall be established by the City Engineering Inspector.
52. The developer shall construct ADA accessible sidewalk along the project frontage on Modoc Street per City standards to maintain an unimpeded path of travel at all times.
53. If the applicant believes that a hardship waiver is applicable based on the cost of ADA improvements in relation to overall project costs, a request for waiver may be submitted for consideration and an ultimate determination by the City.

END OF CONDITIONS





## REPORT TO THE PLANNING COMMISSION

**Prepared by:**

Ricardo Olea, Assistant Planner

**Meeting of:** July 12, 2022

**Agenda Item:** 5

**SUBJECT:**

Microblading by Veasna Conditional Use Permit 2022-11 and Site Plan Review 2022-18

**RECOMMENDATION:**

Conduct a public hearing and:

1. Adopt a resolution adopting a Categorical Exemption Pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule) and Approving a Determination of Use (DOU 2022-01) (Body Art).
2. Adopt a resolution adopting a Finding of Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and Conditional Use Permit 2022-05 and Site Plan Review 2022-19, subject to the findings and conditions of approval.

**PROPOSAL:**

An application for a Conditional Use Permit (CUP) and Site Plan Review (SPR) for consideration to establish a semi-permanent cosmetic beauty shop (Microblading by Veasna) in Suite J of 47<sup>th</sup> Place West, an existing commercial shopping center located at 1930 Howard Road (see Attachment 1). The shopping center is located at the southeast corner of Howard Road and South Schnoor Avenue. The shop will occupy a vacant tenant space of approximately 599 square feet (sf) in an existing commercial building composed of multiple tenants.

<b>Table 1: Project Overview</b>	
<i>Project Number:</i>	CUP 2022-11, SPR 2022-18
<i>Applicant:</i>	Veasna Alatorre
<i>Property Owner:</i>	Berry & Berry Inc
<i>Location:</i>	1930 Howard Road, Suite J; Southeast corner of Howard Road and South Schnoor Avenue (APN 009-361-046 and -055)
<i>Project Area:</i>	0.716 Acre or 94,213 sf; Developed as a commercial shopping center subdivided by multiple tenant units
<i>Plan Land Use:</i>	C – Commercial
<i>Zoning District:</i>	C1 – Light Commercial
<i>Site Characteristics</i>	Commercial shopping center with multiple suites operating as various uses (e.g., bank, restaurants, office, retail). The proposed Suite is part of Building C and covers 599 square feet (sf) of the 5,935 sf building. The parcel is accessed through an approach on South Schnoor Avenue and two approaches on Howard Road.



## SUMMARY:

The applicant, Veasna Alatorre, has established and is currently operating a semi-permanent cosmetic beauty shop (Microblading by Veasna) in an existing vacant 599 sf tenant space (Suite J) located within the 47<sup>th</sup> Place West shopping center. The tenant space faces the shopping center parking area. The rear of the tenant space abuts Modoc Street. The tenant space can be accessed from a covered walkway entrance paralleling the front of the building facing the shopping center's centralized parking area as well as from a covered entrance leading to Modoc Street. On street-parking is permitted on Modoc Street.

The applicant is presently performing the following procedures on its customers: semi-permanent eyebrows, microblading, ombre, combinations and lip blush. The beauty shop operations are similar to a tattoo parlor. Tattoo parlors and similar uses are allowed in any C1 – Light Commercial zone district subject to a use permit. The applicant is currently operating the business absent the required entitlements to be legally performing semi-permanent cosmetic services.

The applicant has also performed tenant interior improvements consisting of new water and sewer hook-ups for a future sink, a new wall and door a casing, and flooring. The applicant also sealed off the rear door leading to Modoc Street (see Attachment 2).

## SURROUNDING LAND USES:

The subject site is surrounded by primarily commercial uses. The tenant space immediately adjacent to the west and east of proposed site are occupied by a flower shop (Floral fantasy) and sub sandwich shop (Full-O-Bull), respectively. Property to the north, across Howard Avenue and west of the shopping center along Howard Avenue are designated C (Commercial) and zoned for commercial uses (C1 Light Commercial). Property immediately to the south, across Modoc Street are also designated C (Commercial) and is zoned C2 Heavy Commercial. Property immediately to west, across South Schnoor Avenue is designated OS (Open Space) and zoned RCO (Resource Conservation) and is occupied by the City's Lions Town and Country Park. Table 2 below lists all the immediate uses adjacent to the 47<sup>th</sup> Place West shopping center.

<b>Table 2: Bordering Site Information</b>			
<i>Direction</i>	<i>Existing Use</i>	<i>Land Use</i>	<i>Zone District</i>
<i>North</i>	Melina Benninghoff Law Office	C – Commercial	C1 – Light Commercial
<i>East</i>	Madera Unified School District Administrative Office	C – Commercial	C1 – Light Commercial
<i>South</i>	Good News Ministries	C – Commercial	C2 – Heavy Commercial
<i>West</i>	Lions Town and Country Park	OS – Open Space	RCO – Resource Conservation

## ANALYSIS:

### Site Plan Review

#### *MMC § 10-3.4.0102 Site Plan Review Applicability*

A site plan review is required for all projects which require a use permit, including a change of use where no on-site construction is proposed. 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.



### Conditional Use Permit

#### *MMC § 10-3.1301 – MMC § 10.3.1311 Use Permits*

The City's Zoning Ordinance allows for the granting of a use permit by the Planning Commission subject to being able to make findings that the establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City. If the Commission cannot make the appropriate findings even after imposing appropriate conditions, the use permit should be denied. Conditions may be attached to the approval of the use permit to ensure compatibility. In addition, the application may be subject to further review, modification, or revocation by the Commission as necessary.

### Signage

#### *MMC § 10-6.01 – Sign Regulations*

The proposal is subject to Section 10-6.09 of the City's Sign Regulations. No signs are approved with this site plan review and a separate sign permit must be applied for. Permanent window signage is prohibited, and temporary window signage is subject to the City's Sign Regulations. Temporary signage, such as for a grand opening, is subject to a separate sign permit independent from any on building or freestanding sign permit issued.

### What is Microblading?

Microblading is a tattooing technique in which a small handheld tool made of several tiny needles is used to add semi-permanent pigment to the skin. Microblading differs from standard eyebrow tattooing because each hairstroke is created by hand using a blade which creates fine slices in the skin. This method is typically used on eyebrows to create, enhance, or reshape their appearance in terms of both shape and color (Wikipedia, 2022).

### Present Use and Operations

The applicant is operating a microblading semi-permanent cosmetic shop inside Suite J of 47<sup>th</sup> Place West located at 1930 Howard Road. The business is operating without an approved conditional use permit, site plan or business license. As such, operation of the present microblading beauty shop by the applicant is a non-conforming use pursuant to the City of Madera Municipal Code (MMC). A new or change use of property which necessitate on-site improvements is required to comply with the provisions of the MMC including, but not limited to being subject to a site plan review (MMC Section 10-3.4.0102). In addition, any business involving tattoo or similar operations in the City is subject to a use permit. Furthermore, no building permit was issued, or inspections performed for the tenant improvement described above. Moreover, the business is currently operating without a City business license. As such, Microblading by Veasna is not operating lawfully.

The business specializes in eyebrow microblading, but also offers eyebrow lamination and eyebrow tattoo removal services. Hours of operation are listed from Tuesday to Saturday from 9:00 AM to 6:00 PM, with an anticipated maximum of 3 customers per day. The microblading services are to be performed in a separate room to provide maximum privacy for all patrons. The site also provides an area for the applicant's clients to wait while they are called on.



To provide microblading and related services, the applicant uses a Dragonhawk mast wireless battery rotary tattoo machine and a nano microblade 15 mm. All equipment used for operations is required to be maintained clean and sanitized at all times. According to the applicant, the equipment is kept in an enclosed area that is only accessible to employees.

#### Parking and Circulation

There are 10 standard parking stalls and one (1) ADA parking stall directly in front of the existing building that serves Suite J and the adjacent units. There are additional parking stalls throughout 47<sup>th</sup> Place West shopping center that can also be used by Microblading by Veasna patrons. Off-site parking is also available along Modoc Street.

#### Potential Impacts

Absent an approval of a use permit and site plan review, the business is not operating lawfully. Nor can the applicant secure a business license absent approval of a use permit or site plan review.

Should the conditional use permit and site plan review be approved, the continuous impacts of this use on surrounding properties will be minimal. The only continuous impact is the minor increase in traffic and parked vehicles from the additional customers that the proposed use is anticipated to attract. As noted above, there are 10 standard parking stalls and one (1) ADA parking stall directly in front of the existing building that serves Suite J and the adjacent units. There are additional parking stalls throughout 47<sup>th</sup> Place West shopping center. Staff has determined that 47<sup>th</sup> Place West provides sufficient parking space to accommodate this use.

#### Compatibility/Determination of Use

The Madera Municipal Code (MMC) does not explicitly list tattoo parlors as a permitted use in a C1 – Light Commercial zone district or as a use subject to the approval of a use permit. However, the MMC does state that any use which, in the opinion of the Commission, is of a similar nature may be permitted with the issuance of a use permit. Such use shall not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

Moreover, staff requesting the City of Madera Planning Commission approve Determination of Use (DOU) 2022-01, allowing body art shops, facilities, and similar uses to operate in any C1 – Light Commercial, C2 – Heavy Commercial, and I – Industrial zone district subject to the issuance of a use permit. The use, as proposed, is categorized as semi-permanent cosmetic tattoo shop and is subject to the provisions established by DOU 2022-01.

In reviewing the use compatibility within 47<sup>th</sup> Place West shopping center, the microblading shop fits with the various existing light retail and food establishments. As proposed and as conditioned, operations for this proposal are expected to produce very minimal impacts. Staff has determined that the use is compatible with the surroundings businesses.

#### **ENVIRONMENTAL REVIEW:**

Staff performed a preliminary environmental assessment and has determined that the project is categorically exempt under Section 15301 of the California Environmental Quality Act (CEQA) Guidelines because the project will occupy an existing building on an existing parcel with existing services and



utilities, and no modifications or expansion to the structure are to occur. Moreover, no expansion of existing or former commercial uses will occur. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.

**COMMISSION ACTION:**

The Commission will be acting on the CUP 2022-11, SPR 2022-18, and the CEQA Categorical Exemption. Staff recommends that the Commission:

1. Adopt a resolution adopting a Categorical Exemption Pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule) and Approving a Determination of Use (DOU 2022-01) (Body Art uses).
2. Move to adopt a resolution of the Planning Commission adopting a Finding of Categorical Exemption from CEQA pursuant to CEQA Guidelines Section 15301 for the project and approving Conditional Use Permit 2022-05 and Site Plan Review 2022-19, based on and subject to the findings and conditions of approval.

**ALTERNATIVES:**

As an alternative, the Commission may elect to:

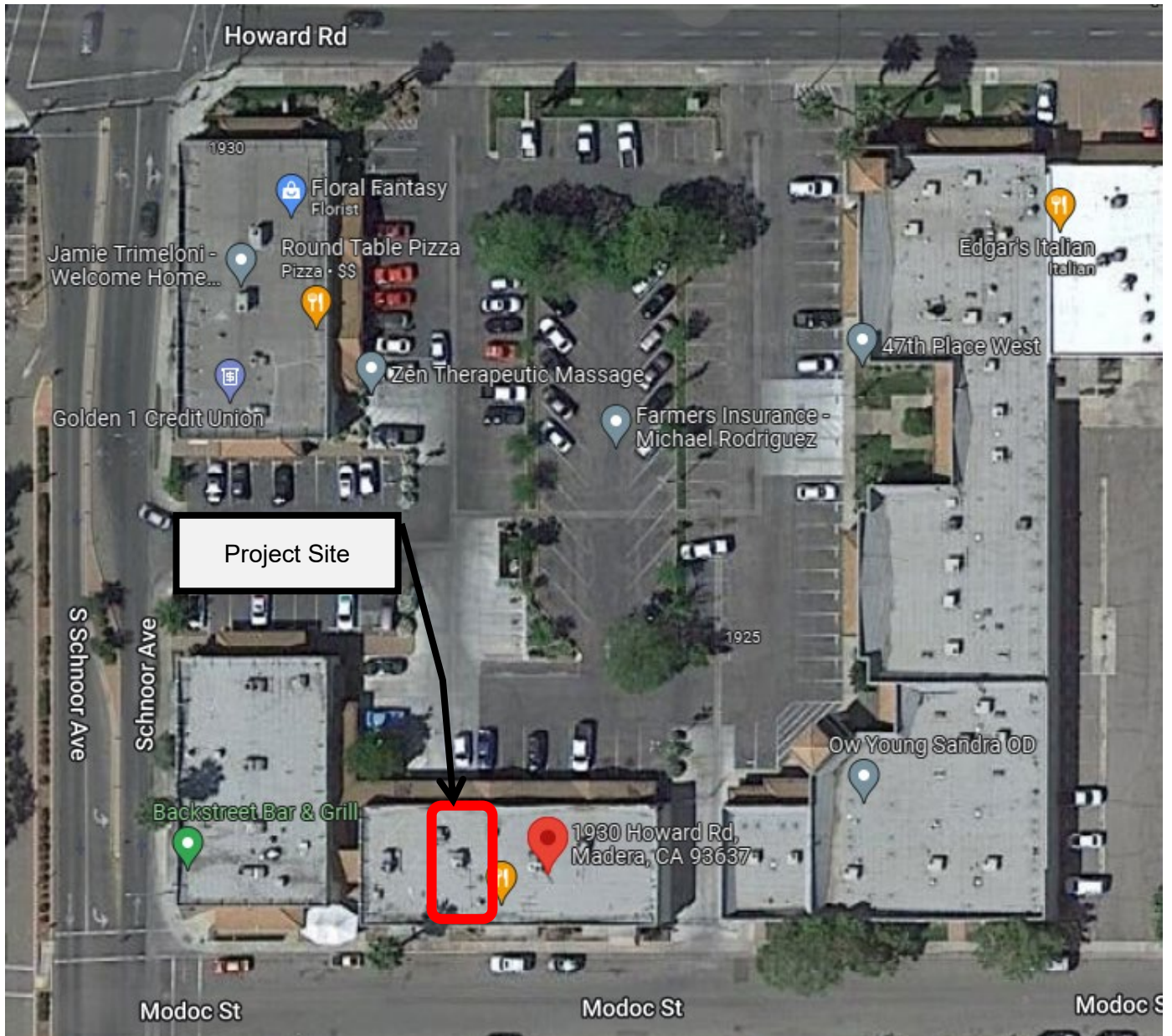
1. Move to continue the public hearing to August 9, 2022 Planning Commission hearing with direction to staff to return with an updated staff report, resolution and/or appropriate findings modifying the project and/or conditions of approval for the following reasons: (Specify – Planning Commission should articulate reasons for modifications).
2. Move to continue the public hearing to August 9, 2022 Planning Commission hearing with direction to staff to return with an updated resolution with appropriate findings for denial for the following reasons: (Specify – Planning Commission should articulate reasons for denial).

**ATTACHMENTS:**

1. Aerial map
2. Floor layout
3. Resolution DOU 2022-01
4. Resolution  
Exhibit “A” Conditions of Approval

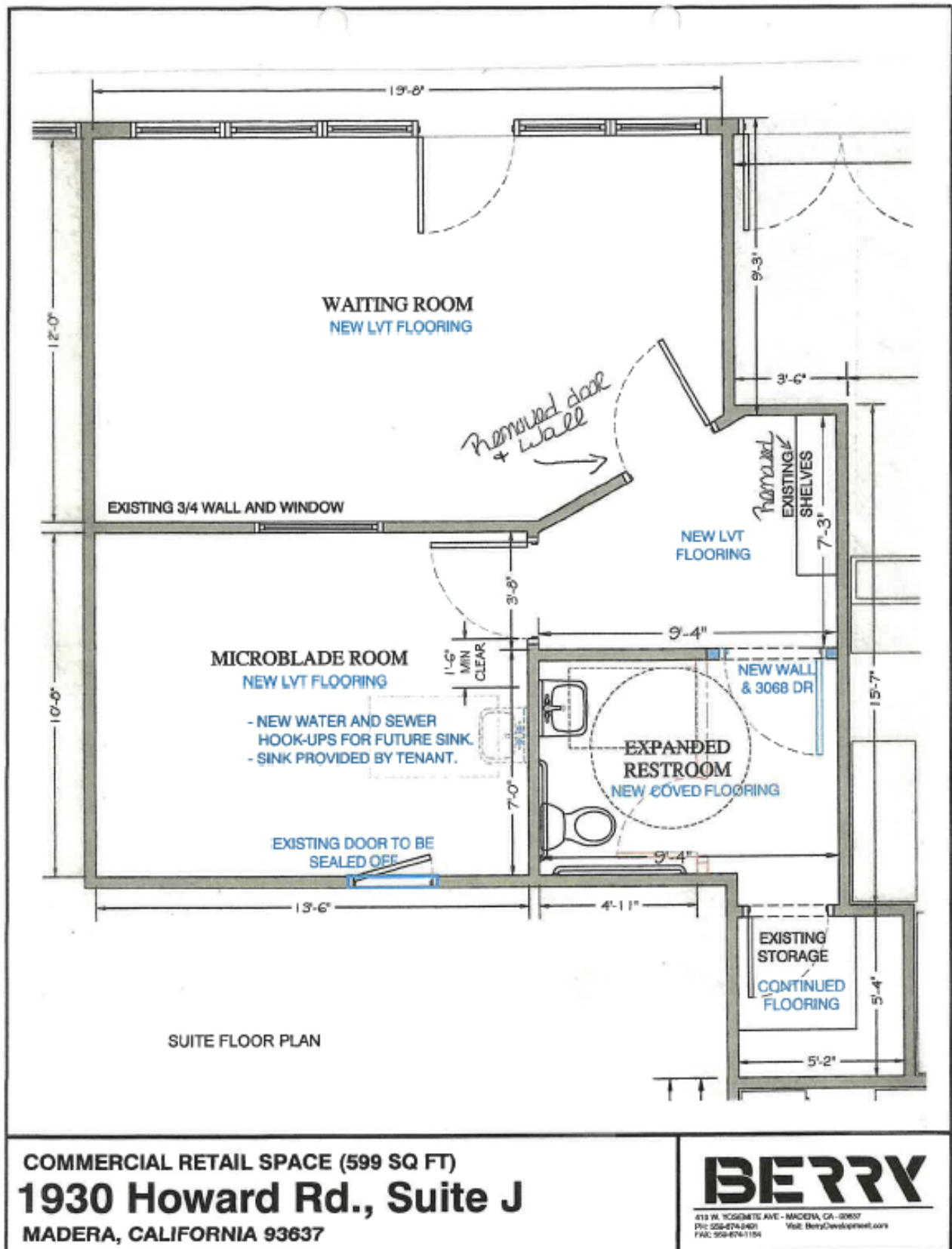


## Attachment 1: Aerial Map





## Attachment 2 – Floor Layout





### **Attachment 3: Resolution for DOU**



**RESOLUTION NO. 1927**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA  
ADOPTING A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES  
SECTION 15061(b)(3) (GENERAL RULE) AND APPROVING DETERMINATION OF USE  
(DOU 2022-01) (BODY ART)**

**WHEREAS**, the Planning Department is requesting the Planning Commission to make a determination of use (“DOU”) in order to allow for the establishment of body art shops, facilities, and similar uses in C1 – Light Commercial, C2 – Heavy Commercial, and I – Industrial zone districts subject to the approval of conditional use permit by the Planning Commission; and

**WHEREAS**, a use determination is intended to recognize the fact that zoning regulations relating to land use do not address every conceivable use that may be permitted, conditionally permitted, or prohibited within a given zoning district; and

**WHEREAS**, the use determination procedure allows consideration of land use proposals not specifically permitted or prohibited in a zone district, but which may be appropriate uses given their similarity to other permitted or conditionally permitted uses; and

**WHEREAS**, a use determination is not intended to be used and shall not be used in lieu of a zone change; and

**WHEREAS**, “body art” refers to the adornment of the body through the permanent application of a tattoo or insertion of an object, such as jewelry, into a hole for display purposes; and

**WHEREAS**, body art is the collective term for any single activity or combination of activities defined herein as tattooing, body piercing, or the application of permanent and semi-permanent cosmetics; and

**WHEREAS**, it shall not include activities such as, or similar to, cutting of the skin or subcutaneous tissue, cutting or modification of cartilage or bone, implantation, branding, deep tissue penetration, stapling or any other invasive procedure, whether or not such act would constitute the practice of medicine requiring licensure as a physician; and

**WHEREAS**, the act of body art requires the use of needles, tools and other equipment that breaks and pierces the skin and may cause bleeding; and

**WHEREAS**, those who receive body art services are at risk of infections that may cause permanent deformity, scarring, and severe illness due to the breaking and/or piercing of the skin; and

**WHEREAS**, tools, needles, and other equipment used to perform body art procedures contribute to the risk of cross-contamination and disease if not new or properly sanitized; and

**WHEREAS**, cross-contamination from used, tainted, unsterile, or otherwise hazardous body art tools can cause and transmit blood-borne diseases such as, but not limited to, Hepatitis B and C, HIV, tetanus, and tuberculosis; and

**WHEREAS**, in response to health hazards that body art procedures may cause, the Safe Body Art Act of the California Health and Safety Code requires practitioners of body art to register with the County in which the business is conducted, obtain a copy of the county’s sterilization, sanitation, and safety standards; and



**WHEREAS**, pursuant to Section 653 of the Penal Code, a client shall be at least 18 years of age to be offered or receive a tattoo or permanent cosmetics application, regardless of parental consent; and

**WHEREAS**, pursuant Section 652 of the Penal Code, persons under the age of 18 shall not be offered or receive a body piercing unless the piercing is performed in the presence of their parent of guardian; and

**WHEREAS**, the piercing or application of permanent cosmetics to the genitals of a minor is prohibited; and

**WHEREAS**, the application of permanent cosmetics to the nipples of a minor is authorized when applied by a registered permanent cosmetic technician with the consent of the minor's parent of guardian and as directed by a physician; and

**WHEREAS**, prior to the performance of body art procedures, the client shall read, complete, and sign an informed consent form that shall include, but not limited to, all the following information; a description of the procedure, a description of what the client can expect following the procedure, a statement regarding the permanent nature of body art, notice that tattoo inks, dyes, and pigments have not been FDA approved and that the health consequences of using these products are unknown, and post procedure instructions; and

**WHEREAS**, a body art facility shall maintain and follow a written Infection Prevention and Control Plan that includes; procedures for cleaning and decontaminating environmental surfaces, procedures for cleaning decontaminating, packaging, sterilizing, and storing reusable instruments, procedures for protecting clean instruments and sterile instrument packs from exposure to dust and moisture during storage, a setup and teardown procedure for any form of body art procedure performed at the facility, techniques to prevent the contamination of instruments or the procedure site during the performance of body art, and procedures for sale handling and disposal of sharps waste; and

**WHEREAS**, body art shops and facilities perform procedures that changes the relationship of the body art shops to other uses in close proximity and may render the use incompatible with surrounding uses in any given location; and

**WHEREAS**, additional analysis of body art shops, facilities, and similar uses is required to determine its compatibility and impact on existing and future surrounding uses on a case-by-case basis; and

**WHEREAS**, staff has requested the Planning Commission to make a determination of use by resolution requiring body art shops, facilities, and similar uses be allowed in C1 – Light Commercial, C2 – Heavy Commercial, and I – Industrial zone districts, subject to the approval of conditional use permit on a case-by-case basis; and

**WHEREAS**, under the City's Municipal Code, the Planning Commission is authorized to review and approve requests for use determinations on uses not explicitly mentioned as permitted, conditionally permitted, or prohibited uses; and

**WHEREAS**, the City provided notice of the Planning Commission hearing as required by law; and

**WHEREAS**, the Planning Commission received and reviewed DOU 2022-01 at a duly noticed meeting on July 12, 2022; and

**WHEREAS**, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Planning Commission; and



**WHEREAS**, the Planning Commission now desires to approve DOU 2022-01.

**NOW THEREFORE**, be it resolved by the Planning Commission of the City of Madera as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein.
2. CEQA Recommendation: A preliminary environmental assessment was prepared for this activity in accordance with the requirements of the California Environmental Quality Act (CEQA). The Planning Commission finds and determines that the request for a use determination is exempt under CEQA Guidelines Section 15061(b)(3) (General Rule) of the State CEQA Guidelines because the activity is covered by the commonsense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Here, similar use types are already allowed in the in C1 – Light Commercial, C2 – Heavy Commercial, and I – Industrial zone districts, subject to the approval of conditional use permit, and confirming this use through stores dedicated to body art and related uses will not result in any significant impact above the current baseline, and certainly not an adverse environmental impact. As such a finding under CEQA Guidelines Section 15061(b)(3) is appropriate.
3. Findings to Approve DOU 2022-01: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support the approval of DOU 2022-01. The Planning Commission further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:
  - a. Body art shops and facilities and similar businesses possess operational characteristics that merit the review on a case-by-case basis.
  - b. Currently, body art shops and facilities have generally been considered a permitted use in commercial zone districts as medical clinics might perform very similar procedures, then body art shops, etc., should also be considered a similar and permitted use.
  - c. Body art shops and facilities and similar uses within the C1 – Light Commercial, C2 – Heavy Commercial, and I – Industrial zoned districts, subject to the approval of a conditional use permit, are consistent with the Madera General Plan principles, goals, and policies.
  - d. The allowance for body art shops and facilities and similar uses in the C1 – Light Commercial, C2 – Heavy Commercial, and I – Industrial zoned districts, subject to the approval of a conditional use permit, provides consistency with the Zoning Ordinance.
4. Approval of DOU 2022-01: Given that all findings can be made, the Planning Commission hereby approves DOU 2022-01 and determines that body art shops, facilities, and similar uses shall be allowed in the C1 – Light Commercial, C2 – Heavy Commercial, and I – Industrial zoned districts subject to the approval of a conditional use permit on a case-by-case basis.
5. Effective Date: This resolution is effective immediately.



\* \* \* \* \*

Passed and adopted by the Planning Commission of the City of Madera the 12<sup>th</sup> day of July 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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Robert Gran Jr.  
Planning Commission Chairperson

Attest:

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Gary Conte, AICP  
Planning Manager



**Attachment 4: Planning Commission Resolution**



**RESOLUTION NO. 1928**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA  
ADOPTING A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES  
SECTION 15301 (EXISTING FACILITIES), APPROVING CONDITIONAL USE PERMIT  
(CUP 2022-11), AND SITE PLAN REVIEW (SPR 2022-18) (MICROBLADING BY  
VEASNA - 1930 HOWARD RD, SUITE J)**

**WHEREAS**, Berry Construction & Development Inc. (“Owner”) owns 47<sup>th</sup> Place West Shopping Center located at 1930 Howard Road in Madera, California (“site”); and

**WHEREAS**, the site is an existing commercial shopping center planned for and surrounded by commercial uses; and

**WHEREAS**, Veasna Alatorre (“Applicant”) is operating a microblading beauty shop in Suite J of 47<sup>th</sup> Place West Shopping Center; and

**WHEREAS**, microblading is a tattooing technique used to add semi-permanent pigment to the skin; and

**WHEREAS**, the Applicant’s business is categorized as a similar use to that of a body art shop, in accordance with Determination of Use (“DOU”) 2022-01; and

**WHEREAS**, body art shops and facilities are allowable uses in C1 – Light Commercial zone districts subject to a use permit, in accordance with DOU 2022-01; and

**WHEREAS**, the use, as conditioned, is compatible with all the surrounding uses in 47<sup>th</sup> Place West Shopping Center; and

**WHEREAS**, a Categorical Exemption under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (Existing Facilities) has been prepared for the proposed project in accordance with CEQA, Public Resources Code Section 21000 et. Seq.; and

**WHEREAS**, under the City’s Municipal Code, the Planning Commission is authorized to review and approve conditional use permits and environmental assessments for associated projects on behalf of the City; and

**WHEREAS**, the City provided notice of the Planning Commission hearing as required by law; and

**WHEREAS**, the Planning Commission received and reviewed CUP 2022-11 and SPR 2022-18 at a duly noticed meeting on July 12, 2022; and

**WHEREAS**, a public hearing was held, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Planning Commission; and

**WHEREAS**, the Planning Commission now desires to adopt a Categorical Exemption for the project pursuant to CEQA and approve CUP 2022-11 and SPR 2022-18.

**NOW THEREFORE**, be it resolved by the Planning Commission of the City of Madera as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein.
2. CEQA Recommendation: A preliminary environmental assessment was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA). The



Planning Commission finds and determines that the project is exempt under Section 15301 (Existing Facilities) of the State CEQA Guidelines because the project will occupy an existing building on an existing lot with existing services and utilities, and any modifications to the structure will only be minor interior changes involving negligible or no relative expansion of use. The proposed project is consistent with applicable general plan designations and policies and is served by all required services and utilities. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.

3. Findings to Approve CUP 2022-11: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support the approval of CUP 2022-11, as conditioned. The Planning Commission further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:

*Finding a: The proposal is consistent with the General Plan and Zoning Ordinance.*

The General Plan designates the subject site for commercial uses and is consistent with its zoning district of C1 – Light Commercial. CUP 2022-11 is found to be consistent with all regulations set forth by MMC § 10-3.405 (Uses).

*Finding b: The proposed use will be compatible with the surrounding properties.*

The project site is suited for commercial uses. The proposal is for an existing building zoned commercial and is surrounded by like uses to the north, east, and west of the property. As conditioned, the use will be compatible with surrounding properties and is consistent with applicable requirements regulating such use.

*Finding c: The establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the city.*

The operations of this proposal have been conditioned by staff to mitigate health hazard concerns related to body art procedures that may cause deformities, scarring, and severe illnesses. Conditions that contribute to the mitigation of the risk of transmission of blood-borne diseases have also been included. The proposed use will not result in a detriment to the health, safety, peace, morals, comfort, or general welfare of persons or property in the surrounding area.

4. Findings to Approve SPR 2022-19: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support the approval of SPR 2022-19, as conditioned. The Planning Commission further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:

*Finding a: The proposal is consistent with the General Plan and Zoning Ordinance.*



In allowing this establishment to expand their business to include alcohol sales, these entitlements support Vision Madera 2025 and encourage, “economic opportunities and underscores the need to attract commercial and retail businesses and to encourage residents to buy locally” (City of Madera General Plan, p. 1-2).

*Finding b: The proposal is consistent with any applicable specific plans.*

The property is not located within the boundary of a specific plan.

*Finding c: The proposed project includes facilities and improvements; vehicular and pedestrian ingress, egress, and internal circulation; and location of structures, services, walls, landscaping, and drainage that are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, there will be no adverse effects on surrounding property, light is deflected away from adjoining properties and public streets, and environmental impacts are reduced to acceptable levels.*

The project has been reviewed and is consistent with the surrounding uses and with all applicable requirements for development in a C1 – Light Commercial zone district. There are no public right improvements required and on-site utilities are consistent with City standards. Review of the site determined that the project would not result in a significant generation of noise, light, and traffic.

*Finding d: The proposed project is consistent with established legislative policies relating to traffic safety, street dedications, street improvements, and environmental quality.*

SPR 2022-18 will not have a significant impact on traffic or the environment. With the conditions imposed, the project will not be detrimental or injurious to property and improvements in the neighborhood or general welfare of the City.

5. Approval of CUP 2022-11 and SPR 2022-18: Given that all findings can be made, the Planning Commission hereby approves CUP 2022-11 and SPR 2022-18 as conditioned and set forth in the Conditions of Approval attached as Attachment A.
6. Effective Date: This resolution is effective immediately.

\* \* \* \* \*



Passed and adopted by the Planning Commission of the City of Madera this 12<sup>th</sup> day of July 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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Robert Gran Jr.  
Planning Commission Chairperson

Attest:

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Gary Conte, AICP  
Planning Manager

Exhibit A: Conditions of Approval for CUP 2022-11 and SPR 2022-18



**EXHIBIT "A"**  
**CUP 2022-11 & SPR 2022-18 (MICROBLADING BY VEASNA)**  
**CONDITIONS OF APPROVAL**  
**July 12, 2022**

**Notice to Applicant**

In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedications, reservations, or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within ninety (90) calendar days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

**IMPORTANT: PLEASE READ CAREFULLY**

This project is subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies; those determined through site plan review, and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community; and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Approval of this permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development.

Approval of this permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this permit, the zoning ordinance, and all City standards and specifications. This permit is granted, and the conditions imposed, based upon the application submittal provided by the applicant, including any operational statement. The application is material to the issuance of this permit. Unless the conditions of approval specifically require operation inconsistent with the application, a new or revised permit is required if the operation of this establishment changes or becomes inconsistent with the application. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the permit or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the review process or for additions or alterations to any construction or building plans not specifically submitted and reviewed and approved pursuant to this permit or subsequent amendments or revisions. These conditions are conditions imposed solely upon the permit as delineated herein and are not conditions imposed on the City or any third party. Likewise, imposition of conditions to ensure compliance with federal, state, or local laws and regulations does not preclude any other type of compliance enforcement.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings can be made.



All discretionary conditions of approval for CUP 2022-11 will ultimately be deemed mandatory unless appealed by the applicant to City Council within fifteen (15) days after the decision of the Planning Commission, and all discretionary conditions of approval for SPR 2022-18 will ultimately be deemed mandatory unless appealed by the applicant to the City Council within ten (10) days after the decision by the Planning Commission. In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval, you may do so by filing a written appeal with the City Clerk. The appeal shall state the grounds for the appeal and wherein the Commission failed to conform to the requirements of the zoning ordinance. This should include identification of the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld.

These conditions are applicable to any person or entity making use of this permit, and references to "developer" or "applicant" herein also include any applicant, property owner, owner, successors-in-interest, lessee, operator, or any other person or entity making use of this permit. Furthermore, "project site" refers to the portions of 1930 Howard Road that are being developed under CUP 2022-11 and SPR 2022-18. The following conditions apply only to these portions of the subject site, unless specifically noted otherwise.

### **Conditions of Approval**

- Conditional Use Permit 2022-11 is subject to Conditions of Approval Nos. 1 through 13, 24 through 33 and 50.
- Site Plan Review 2022-18 is subject to Conditions of Approval Nos. 1 through 23 and 34 through 49.

### **General**

1. Approval of this conditional use permit and site plan review shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or the designer to disclose and delineate all facts and information relating to the subject property and the proposed development.
2. Approval of this conditional use permit and site plan review shall become null and void if the applicant, the operators, and/or successor is found to be in violation of all City and State regulation regulating tobacco sales.
3. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specifically noted in the conditions or mandated by statutes.
4. The applicant shall submit to the City of Madera Planning Department a check in the amount necessary to file a Notice of Exemption at the Madera County Clerk. This amount shall equal the Madera County filing fee in effect at the time of filing. **Such check shall be made payable to the Madera County Clerk and submitted to the City of Madera Planning Department no later than three (3) days following action on CUP 2022-11 and SPR 2022-18.**



5. CUP 2022-11 shall expire 12 months from date of issuance, unless positive action to utilize the CUP or a written request for extension has been submitted to the Planning Commission before the expiration of the CUP (MMC Section 10-3.1311, Termination and Revocation).
6. SPR 2022-18 shall expire one year from date of issuance, unless a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion of the site or structures which were the subject of the site plan or the required action is taken to extend the approval before the expiration date (MMC Section 10-3.4.0114, Lapse of Site Plan Approval).
7. It shall be the responsibility of the property owner, operator, and/or management to ensure that any required permits, inspections, and approvals from any regulatory agency be obtained from the applicable agency prior to issuance of a building permit and/or the issuance of a certificate of completion, as determined appropriate by the City of Madera Planning Department.
8. Minor modifications to the approved plans necessary to meet regulatory, engineering, or similar constraints may at the discretion of the Planning Manager without an amendment to CUP 2022-11 and/or SPR 2022-18. However, should the Planning Manager determine that modifications are substantive, he/she may require that an amendment to CUP 2022-11 and/or SPR 2022-18 be filed for review and approval through the applicable City process.
9. Deferrals are not permitted for any condition included herein, unless otherwise stated or unless approved by the City Council, through a separate deferral process.
10. All construction shall cease, and the Planning Manager and City Engineer shall be notified immediately if any prehistoric, archaeological, or fossil artifact or resource is uncovered during construction. All construction shall immediately stop and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained, at the applicant's and/or successors-in-interest's expense, to evaluate the find(s) and recommend appropriate action according to Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines. If avoidance is infeasible, other appropriate measures would be instituted. Work may proceed on other parts of the project subject to direction of the archaeologist while assessment of historic resources or unique archaeological resources is being carried out.
11. All construction shall cease if any human remains are uncovered, and the Planning Manager, City Engineer and County of Madera Coroner shall be notified in accordance to Section 7050.5 of the California Health and Safety Code. If human remains are determined to be those of a Native American or has reason to believe that they are those of a Native American, the Native American Heritage Commission shall be contacted, and the procedures outlined in CEQA Section 15064.5(e) shall be followed.
12. Approval of CUP 2022-11 and SPR 2022-18 is for the benefit of the applicant. The submittal of applications by the applicant for this project was a voluntary act on the part of the applicant not required by the City. Therefore, as a condition of approval of this project, the applicant agrees to defend, indemnify, and hold harmless the City of Madera and its agents, officers, consultants, independent contractors, and employees ("City") from any and all claims, actions, or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the project, including any challenges to associated environmental review, and for any and all costs, attorneys fees, and damages arising therefrom (collectively "claim").

The City shall promptly notify the applicant of any claim and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim or if the City fails to



cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Nothing in this condition shall obligate the City to defend any claim and the City shall not be required to pay or perform any settlement arising from any such claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any claim, and if the City does decide to independently defend a claim, the applicant shall be responsible for City's attorneys' fees, expenses of litigation, and costs for that independent defense, including the costs of preparing any required administrative record. Should the City decide to independently defend any claim, the applicant shall not be required to pay or perform any settlement arising from any such claim unless the applicant approves the settlement.

13. 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 surrounding properties.

### **Planning Department**

14. The project site shall be developed in conformance with the site plan as reviewed and approved under CUP 2022-11 and SPR 2022-18. Minor modifications to the site plan, which are necessary to meet regulatory, engineering, or similar constraints or requirements may be made at the discretion of the Planning Manager without an amendment to CUP 2022-11 and SPR 2022-18. However, should the Planning Manager determine that modifications are substantive, he/she may require that an amendment to CUP 2022-11 and SPR 2022-18 be filed for review and approval through the applicable City process.
15. Any proposed future modifications to the site, including, but not limited to, the building structural exteriors, parking/loading areas, shall require an amendment to CUP 2022-11 and SPR 2022-18.
16. All on-site improvements shall be completed prior to final building inspection and shall be completed in conformance with CUP 2022-11 and SPR 2022-18 to the satisfaction of the City of Madera prior to issuance of a certificate of completion.
17. The project site 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, operator, and/or manager may be subject to corrective action.
18. Vandalism and graffiti shall be corrected in accordance with the provisions of the Madera Municipal Code.
19. The property owner, operator, and/or manager shall operate the site in a manner that does not generate noise, odor, blight, or vibration that adversely affects adjacent properties.
20. The property owner, operator, and/or manager shall keep the property clear of all trash, rubbish, and debris at all times.
21. Hours of business operation shall be limited as follows:
  36. Tuesday through Saturday from 9:00 AM to 6:00 PM.

### **Signage**



22. No signage is approved as part of CUP 2022-11 or SPR 2022-18. All existing and new signage shall be reviewed and approved under a separate sign permit issued by the Planning Department pursuant to Madera Municipal Code 10-6.01.
23. No window signs shall be permitted.

#### **Conditional Use Permit 2022-11**

24. CUP 2022-11 allows for the establishment of a microblading beauty business within Suite J of the 47<sup>th</sup> Place West shopping center located at 1930 Howard Street.
25. CUP 2022-11 is restricted to performing microblading semi-permanent cosmetic beauty services.
26. No one under the age of 18 years old shall be permitted to enter the premise or permitted to be an employee.
27. Business owner/operator shall be responsible for the conduct of persons employed or retained by the business while on the business premises or while otherwise providing service on behalf of the business.
28. All services shall be confined entirely within the building and all service areas shall not be visible from public view.
29. All equipment used for microblading, eyebrow lamination, and related services shall be kept clean and sanitized at all times.
30. All equipment used for microblading, eyebrow lamination, and related services shall only be accessible to employees of the establishment.
31. Business shall comply with all federal, state and local laws and regulations, including without limitation to provisions of the California Health and Safety Code.
32. Criminal acts occurring on the premise and/or related to the business, whether or not committed by the business owner, operator and/or employees of the business, shall be reviewed by the Police Department and shall be grounds for revocation of the use permit by the Commission
33. It shall be a violation of CUP 2022-11 to promote and/or affiliate with any member of a criminal organization. Members of a criminal organization shall not be permitted to loiter near or upon the business.

#### **Building Department**

34. Obtain building permits for all existing or future changes performed to the interior by or at the direction of the applicant or successor-in-interest.
35. Interior work must comply with California Building Code Chapter 11 accessibility.

#### **Fire Marshal**



36. Provide one 2A10BC rated fire extinguisher.
37. Obtain a fire sprinkler permit if the building is equipped with fire sprinklers.

## **Engineering Department**

### General

38. Nuisance onsite lighting shall be redirected as requested by City Engineer within 48 hours of notification.
39. 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.
40. Improvements within the City right-of-way require an Encroachment Permit from the Engineering Division.

### Sewer

41. New or existing sewer service connection(s) shall be constructed or upgraded to current City standards. Each parcel shall have a separate sewer service.
42. Existing sewer service connections that will not be used for the project shall be abandoned at the mains per current City of Madera standards.

### Water

43. New or existing water service connection(s) shall be constructed or upgraded to current City standards including Automatic Meter Reading (AMR) water meter installed within City right-of-way and backflow prevention device installed within private property. Each parcel shall have a separate domestic water service.
44. Existing water service connections that will not be used for the project shall be abandoned at the mains per City of Madera standards.

### Streets

45. The developer shall repair or replace all broken or damaged concrete improvements including curb, gutter and sidewalk to current City and ADA standards. Limits of repairs shall be established by the City Engineering Inspector.
46. The developer shall construct ADA accessible sidewalk along the project frontage on Modoc Street per City standards to maintain an unimpeded path of travel at all times.
47. If the applicant believes that a hardship waiver is applicable based on the cost of ADA improvements in relation to overall project costs, a request for waiver may be submitted for consideration and an ultimate determination by the City.

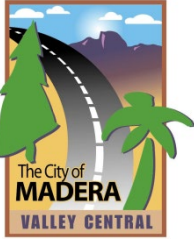
## **Madera County Environmental Health Department**



50. The applicant, operator and/or successor-in-interest shall obtain an Operating Permit for a body art facility and register as a small quantity medical waste generator. Said Operating Permit shall be secured prior to issuance of a City of Madera Business License.

END CONDITIONS





## REPORT TO THE PLANNING COMMISSION

**Prepared by:**

Nicole Say, Administrative Analyst – Engineering Dept.

**Meeting of:** July 12, 2022

**Agenda Item: 6**

**SUBJECT:**

Various Capital Improvement Projects throughout the City.

**RECOMMENDATION:**

Conduct a public hearing and adopt a Resolution determining that the Fiscal Year 2022/23 through 2026/27 Capital Improvement Program conforms with the City of Madera General Plan and Specific Plans.

**PROPOSAL:**

Evaluation of the revised City of Madera Capital Improvement Program (CIP) for fiscal year 2022/23 through fiscal year 2026/27 to determine conformity with the City of Madera General Plan.

**SUMMARY:**

The City Council of the City of Madera has reviewed the active and proposed projects in the CIP and forwards the CIP to the Commission for determination of conformance with the City's General Plan pursuant to Government Code Section 65401.

**ANALYSIS:**

Under the terms of Section 65401 of the Government Code, the Commission of each city or county is required to review any CIP and the projects contained therein, within that jurisdiction as to conformance with that agencies General Plan.

The proposed projects are for new major infrastructure improvements and reconstruction of existing facilities. The projects are divided into the following categories:



Airport Operations	8	Projects
Community Development	2	Projects
Alley Improvements	2	Projects
Traffic Signal/Safety Improvements	7	Projects
Streets & Bridges	25	Projects
Park & Recreation Facilities Development	18	Projects
Water System Utility	30	Projects
Sewer System Utility	20	Projects
Drainage System Improvements	6	Projects
Police and Fire Department	4	Projects
Successor Agency	4	Projects
Wastewater Treatment Plant	3	Projects
Transit System	2	Projects

A brief description of the projects in each category is listed below:

Airport Operations – Apron and taxiway drainage, construction of tee hangers, and runway extension.

Community Development – The future relocation of City Hall; ADA upgrades to Engineering Front Counter.

Alley Improvements – provide paved surfacing on travel way in alleys in compliance with Air District requirements to mitigate particulate matter (dust)

Traffic Signal/Safety Improvements – A new project has been added to install a traffic signal at Lake Street and Sherwood Avenue. The remaining projects carried over from previous year.

Streets & Roads – Improvements include widening existing streets, adding landscaping, installing sidewalks. Reconstruction, restoration and rehabilitation (3-R) include major repairs and rehabilitation of existing streets to extend useful life and pavement resurfacing. Certain 3-R projects take place on arterials and collectors as designated by the General Plan Circulation Element. Other projects capture the local and residential streets.

Park Development – Construction projects include new trails, bike paths and improvements to various Parks and Recreation facilities, facility improvements to various parks, as well as design and preliminary engineering on two new parks. Proposed projects are consistent with the City's approved Bicycle Transportation Plan and the Park and Recreation Element of the General Plan.

Water System – Construction of new water wells, major replacement of water distribution systems components, replacement or rehabilitation of water mains, and construction of water storage infrastructure.

Sewer System – Construction of trunk sewer pipelines, replacement and up-grading of sewer main pipelines and rehabilitation of sewer lift stations.

Drainage System – Construction of storm drain pipelines and drainage basins and enhancements to the existing drainage system.



Police and Fire Department – Improve the parking lot adjacent to the Police Station. Renovations and updates to stations 56, 57 & 58, as well as creation of a plot plan for a future training site located at station 58.

Successor Agency – Completion of Adelaide Subdivision, the Adell Street interconnect project and the Adell Street utility project.

Transit System – Installation of charging station at the new transit center. A project funded with ASHC grant for various enhancements to stops, technology, and the intermodal center.

A CIP summary listing of the projects is attached to this report.

## **GENERAL PLAN CONFORMITY**

If a project identified in the proposed CIP would implement or generally support attainment of a General Plan goal, policy or action item, staff recommends that a finding of conformance be made. Where the linkage between the General Plan and a CIP is less direct, a finding of conformance is recommended to the extent that no conflicts are identified, and the project will not obstruct attainment of General Plan goals, policies and action items. If adopted policies do not support a project, or the project prevents attainment of an adopted policy, a conformity determination should not be made.

A screening level analysis was completed for each CIP project against the goals, policies and action items in all ten elements of the General Plan. No conflicts were identified between any proposed project and any feature of the adopted General Plan. In general, capital projects identified in the CIP are consistent with the General Plan's intent to provide adequate circulation and utilities, and to support enhanced transit, walkability and recreational opportunities. Airport related projects are consistent with the General Plan policy supporting the Airport in its role as an important part of the local commercial economy.

The Commission's finding that a proposed CIP item conforms with the General Plan does not necessarily mean that the Commission or the City endorses the project in a particular form. Individual capital projects must undergo environmental review and receive approval prior to being carried out. As projects proceed from concept to final design and construction, individual projects are commonly modified. Where the General Plan points to specific features that affect design, these features will be incorporated. The Council will continue to have full discretion in deciding to move forward with CIP items.

If the Commission finds that the projects are in conformance with the General Plan, the Fiscal Year 2022/23 to 2026/27 CIP will be forwarded on to the Council for final adoption during its consideration of the Fiscal Year 2022/23 Budget.

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

Consistent with Action 126 and Action 132 of Vision 2025, the projects support the strategy for providing clean attractive streets that are safe and aesthetically pleasing, and connecting Madera's neighborhoods through streets, trails and walkways that promote community interaction. The requested action is for the improvement of infrastructure and is not in conflict with any of the actions or goals contained in the plan.



**ALTERNATIVES:**

As an alternative, the Commission may elect to:

1. Move to continue the public hearing to the August 9, 2022 Planning Commission hearing with direction to staff to return with an updated staff report, resolution and/or appropriate findings modifying the project and/or conditions of approval for the following reasons: (Specify – Planning Commission should articulate reasons for modifications).
2. Move to continue the public hearing to August 9, 2022 Planning Commission hearing with direction to staff to return within updated resolution with appropriate findings for denial for the following reasons (Specify – Planning Commission should articulate reasons for denial).

**ATTACHMENTS:**

Attachment 1: Capital Improvement Projects

Attachment 2: Planning Commission Resolution



## **Attachment 1: Capital Improvement Projects**



City of Madera, California  
*Capital Improvement Program*  
 '22/'23 thru '26/'27

**PROJECTS BY DEPARTMENT**

Department	Project #	'22/'23	'23/'24	'24/'25	'25/'26	'26/'27	Total
<b>Airport</b>							
AIP-0028 T-Hangar Development Phase 1	AIP-0028			0			0
AIP-0029 Tee Hangar Development Const-II	AIP-0029	0	0	0	0	0	0
AIP-0031 Apron & Taxiway Drainage	AIP-0031	1,087,000					1,087,000
AIP-0034 Commercial Hangar Develop Extend-III	AIP-0034			0			0
AIP-0040 RUNWAY 12-30 MILL AND FILL	AIP-0040		297,000	3,213,000			3,510,000
AIP-0042 Taxiway Mill & Fill	AIP-0042		297,000				297,000
AIP-0043 Airport Layout Plan	AIP-0043				125,000		125,000
Airport Layout Plan Narrative	AIP-0045	110,000					110,000
<b>Airport Total</b>		<b>1,197,000</b>	<b>594,000</b>	<b>3,213,000</b>	<b>125,000</b>	<b>0</b>	<b>5,129,000</b>
<b>Community Development</b>							
CD-00001 City Hall Relocation & Expansion	CD-00001					500,000	500,000
<b>Community Development Total</b>						<b>500,000</b>	<b>500,000</b>
<b>Engineering</b>							
ALY-0001 Torres Way Alley Paving	ALY-0001	219,230					219,230
ALY-0003 2021 CMAQ Alley Paving Project	ALY-0003	677,950					677,950
B-000002 Westberry Bridge Construction	B-000002	750,000	300,000	100,000	111,500	200,000	1,461,500
B-000004 BPMP Rehab/Repair of 3 Bridges	B-000004	230,000					230,000
B-000005 Granada Pedestrian Bridge	B-000005	245,000	185,000	2,070,000			2,500,000
CD-00002 Engineering Front Counter ADA Upgrades	CD-00002	25,000					25,000
ENG A Federal/State-Local Match	ENG A	0	80,000	80,000	80,000	80,000	320,000
ENG F CIP Engineering	ENG F	559,000	576,000	593,000	611,000	629,000	2,968,000
ENG-000C Traffic Warrants	ENG-000C	25,000	25,000	25,000	25,000	25,000	125,000
ENG-000G Micro-Paver Distress Survey	ENG-000G	100,000					100,000
MUP-UDII Master Utility Plan Update, II	MUP-UDII		1,050,000				1,050,000
R-000010 Olive Ave Widening-Gateway to Knox	R-000010	7,088,000					7,088,000
R-000031 Contingency / Project Administration	R-000031	179,250	183,000	188,000	194,000	200,000	944,250
R-000032 UPPR Crossing - Street Approach	R-000032	80,000	80,000	80,000	80,000	80,000	400,000
R-000037 Raymond Rd Shoulder-n/o Cleveland	R-000037	88,827	262,300				351,127
R-000041 Concrete Projects - Share Program	R-000041	20,000	20,000	20,000	20,000	20,000	100,000
R-000046 Lake St Widening-Fourth to Cleveland	R-000046			400,000	400,000	7,200,000	8,000,000
R-000050 Pine St Reconstr-Howard to Fourth St	R-000050	40,000	10,000	540,000			590,000
R-000054 Cleveland Ave Widen-Schnoor to SR99	R-000054			360,000	4,000,000		4,360,000
R-000057 Lake-Fourth-Central Intersection	R-000057	1,177,000	15,500				1,192,500
R-000058 Schnoor Ave Sidewalk-Sunset to River	R-000058	65,000	228,000				293,000
R-000060 Storey Rd Shoulder Paving	R-000060	305,750	4,500				310,250
R-000064 ADA Walkability Sidewalks Program	R-000064	80,000	80,000	80,000	80,000	80,000	400,000
R-000067 Pecan Ave Shoulder Paving	R-000067	131,156	530,900				662,056
R-000072 Ave 17/Sharon Blvd Improvements	R-000072	5,310,910					5,310,910
R-000079 RMRA Seals/Overlays 2021-22	R-000079	2,350,000					2,350,000
R-000080 RMRA Seals/Overlays 2022-23	R-000080	2,100,000					2,100,000
R-000081 2022-23 City Streets 3R & ADA Project	R-000081	1,353,000					1,353,000
R-000082 Almond Ave Extension - Pine to Stadium	R-000082	345,000	200,000	6,100,000			6,645,000



Department	Project #	'22/'23	'23/'24	'24/'25	'25/'26	'26/'27	Total
R-000084 Pedestrian Facilities, Various Locations	R-000084	12,935					12,935
R-000087 Almond/Pine/Stadium Traffic Study	R-000087	120,000					120,000
R-000093 Washington School Sidewalks CMAQ	R-000093	376,500					376,500
R-000094 Sidewalk Improvements Var Locations	R-000094	1,477,500	1,294,000				2,771,500
S-000012 Schnoor Ave Trunk Sewer Rehab	S-000012	80,000	500,000				580,000
S-000995 Road 28 Sewer Loan Repayment	S-000995	4,000	4,000	4,000	4,000	311,676	327,676
S-000996 Southeast Quad Sewer Improvement	S-000996				455,000		455,000
S-000997 Northeast Quad Sewer Improvement	S-000997					208,602	208,602
S-000998 Northwest Quad Sewer Improvement	S-000998					352,000	352,000
S-000999 Reimbursements - Sewer Construction	S-000999				100,000		100,000
SD-00017 G St Storm Drain Improvements	SD-00017			118,410	51,590	1,361,500	1,531,500
SD-000997 NW Quad Storm Drain Improvement	SD-000997					7,400,000	7,400,000
SD-000998 SE Quad Storm Drain Improvements	SD-000998					17,500,000	17,500,000
SD-13-PX Retention Basin Land Acquisition	SD-13-PX	70,000	40,000	40,000	40,000		190,000
SD-14-P11 Granada Dr/Ave 12.5 Retention Basin	SD-14-P11	100,000					100,000
SD-15-P7 Ellis St/Krohn St Retention Basin	SD-15-P7	100,000					100,000
SS-00000 Engineering Support for Sewer Projects	SS-00000	29,125	28,500	28,500	28,500	28,500	143,125
SS-00006 Fairgrounds Liftstation-VFD	SS-00006	630,000					630,000
SS-00007 Airport Lift Station Force Main Study	SS-00007	24,000					24,000
SS-00008 2018 Sewer Manhole Project	SS-00008	150,000					150,000
SS-00009 2018 Sewer Repairs	SS-00009	1,245,000					1,245,000
SS-00010 Airport Lift Station Pumps Replacement	SS-00010	180,000					180,000
SS-00011 Mainberry Sewer - Howard to Sunset	SS-00011	450,000					450,000
SS-00012 Doubletree Sewer - Westberry to Liberty	SS-00012	322,875					322,875
SS-00013 Pecan Ave Parallel Sewer Main	SS-00013	1,351,061					1,351,061
SS-00014 Avenue 13 Sewer Trunk Main Rehabilitation	SS-00014	5,810,000	10,000	10,000	10,000	3,350,000	9,190,000
SS-00015 SEWER LIFT STATION R&R	SS-00015	170,000					170,000
S-STDY-1 Sewer System Assess/Rehab	S-STDY-1	140,563					140,563
S-STDY-2 Sewer Asset Mgmt Software	S-STDY-2	75,000					75,000
S-VI-002 Sewer Main Video Inspection	S-VI-002	695,000	150,000	150,000	150,000	150,000	1,295,000
TS-00022 4th St Traffic Signal Interconnect	TS-00022	13,300					13,300
TS-00023 HOPYQ Intersection Traffic Signals	TS-00023	141,500					141,500
TS-00024 Cleveland/Granada Dr Traffic Signal	TS-00024	583,000					583,000
TS-00030 Miscellaneous Traffic Safety Items	TS-00030	20,000	20,000	20,000	20,000	20,000	100,000
TS-00032 D St/South St Traffic Signal	TS-00032	483,000					483,000
TS-00034 Granada Dr Pedestrian Improvements	TS-00034	126,400					126,400
TS-00035 LAKE & SHERWOOD TRAFFIC SIGNAL	TS-00035	50,000	500,000				550,000
W-000000 Engineering Support for Water Projects	W-000000	29,125	28,500	28,500	28,500	28,500	143,125
W-000003 Water Main Upgrades - Locations 1-12	W-000003	950,000					950,000
W-000004 Water Main Upgrades - Locations 13-23	W-000004	1,515,000					1,515,000
W-000006 H St-Water Main Upgrades	W-000006	30,000	450,000				480,000
W-000008 10th St-Water Main Upgrades	W-000008	30,000	1,090,000				1,120,000
W-000009 Gateway-Riverside River Crossing	W-000009	430,000					430,000
W-000026 Water Tower Demolition	W-000026	512,296					512,296
W-000031 Manual Read Water Meter Replacements/AMR	W-000031	1,100,000	335,000	335,000	335,000	365,000	2,470,000
W-000032 2018-19 New Water Meter Installations	W-000032	1,167,000					1,167,000
W-000033 Residential AMR Water Meter Replacements	W-000033	964,000	530,000	540,000	550,000		2,584,000
W-000037 Northeast Water Transmission Main	W-000037	430,000	3,025,200				3,455,200
W-000038 Well 27 Rehabilitation	W-000038	30,000	289,107				319,107
W-000039 2022 Year 2 Pipeline Replacements	W-000039		1,100,000				1,100,000
W-000040 2021 Year 1 Pipeline Replacements	W-000040	725,000					725,000
W-000041 2021 Leak Detection CIP	W-000041	135,000					135,000
W-GW-001 Water Well 37-Install Pump	W-GW-001	1,700,000					1,700,000
W-GW-002 Water Well 35-Ellis w/o Chapin	W-GW-002					2,500,000	2,500,000
W-GW-0024 Sharon Blvd. S/O Ave 17 - Well	W-GW-0024	1,000,000					1,000,000
W-GW-003 Water Well 36- SR145/Indigo	W-GW-003	120,000		2,200,000			2,320,000
W-PNE-04 Lake St Water Main-Ellis to Ave 17	W-PNE-04	85,000	615,000				700,000



Department	Project #	'22/'23	'23/'24	'24/'25	'25/'26	'26/'27	Total
W-PS-001 Ave 17 & Lake Pump Station/Tank	W-PS-001	462,000	6,270,000				6,732,000
W-PSW-45 Almond Ave Water Main, Pine-Stadium	W-PSW-45	88,000	188,000				276,000
W-STDY-2 Water System Condition Assess/Rehab	W-STDY-2	296,000					296,000
W-STDY-3 Water Asset Mgmt Software	W-STDY-3	150,000					150,000
W-T-0001 Water Storage Tank Installation	W-T-0001	863,950	9,000,000				9,863,950
<b>Engineering Total</b>		<b>51,388,203</b>	<b>29,297,507</b>	<b>14,110,410</b>	<b>7,374,090</b>	<b>42,089,778</b>	<b>144,259,988</b>
<b>Fire Department</b>							
FD-00004 Fire station 56 Upgrades & Improvements	FD-00004	247,200					247,200
FD-00005 Fire station 57 Upgrades & Improvements	FD-00005	42,000	100,000				142,000
FD-00006 Fire station 58 Upgrades & Improvements	FD-00006	75,000	75,000				150,000
<b>Fire Department Total</b>		<b>364,200</b>	<b>175,000</b>				<b>539,200</b>
<b>Parks &amp; Community Services</b>							
PK-00001 Ped/Bike Facilities	PK-00001	39,000	39,000	39,000	40,000	50,000	207,000
PK-00013 Sunrise Rotary Sports Complex	PK-00013	80,000	1,510,500				1,590,500
PK-00048 Tulare/Cleveland/Raymond Bike Path	PK-00048	675	334,325				335,000
PK-00056 Bike/Ped Path, FRT-Cleveland Ave	PK-00056		45,000		339,000		384,000
PK-00058 FRT-Granada to MID, North Bank	PK-00058			40,000	156,000		196,000
PK-00064 India Park	PK-00064	197,642					197,642
PK-00065 Centennial Park Pool Complex Ammenities	PK-00065	100,000	50,000				150,000
PK-00067 OLIVE PARK	PK-00067	267,000	1,723,000				1,990,000
PK-00068 North/West Land Acquisition	PK-00068		300,000				300,000
PK-00069 South/East Land Acquisition	PK-00069				300,000		300,000
PK-00070 Sunset Park Development	PK-00070	250,000	300,000				550,000
PK-00071 Town & Country Connectivity Project	PK-00071	684,820					684,820
PK-00072 Town & Country Park Rehabilitation	PK-00072	0	0	0	0		0
PK-00073 McNally Park Rehabilitation	PK-00073			50,000			50,000
PK-00074 Parkwood Park Rehabilitation	PK-00074	100,000					100,000
PK-00075 Rotary Park Road Improvements	PK-00075	55,000					55,000
PK-00076 FRESNO RIVER TRAIL CLEANUP	PK-00076	832,350					832,350
PK-00077 - FRANK BERGON & PAN AMERICAN IMPROVEMENT	PK-00077	25,000					25,000
<b>Parks &amp; Community Services Total</b>		<b>2,631,487</b>	<b>4,301,825</b>	<b>129,000</b>	<b>835,000</b>	<b>50,000</b>	<b>7,947,312</b>
<b>Police Department</b>							
PD-00001 Police Station Parking Lot	PD-00001	393,000					393,000
<b>Police Department Total</b>		<b>393,000</b>					<b>393,000</b>
<b>Public Works</b>							
PW-2022: PUBLIC WORKS 2022 STREETS DEPT. ACTIVITY	PW-2022	2,690,000	2,715,000	2,740,000	2,740,000	2,740,000	13,625,000
RM-00001 Rtne Maint City Bridges Fresno RVR	RM-00001	50,000					50,000
W-000022 Water Tower Recoating	W-000022	690,000					690,000
W-000029 Downtown Valve Replacement	W-000029	340,000					340,000
W-000034 South St Water Tower Exterior Rehab	W-000034	1,320,000					1,320,000
W-000036 4th/Gateway Line and Valve	W-000036	440,000	440,000				880,000
W-000042 Chlorine Analyzers & Generators	W-000042	175,000	175,000	175,000	175,000		700,000
WWTP-0010 Waste Discharge Permit	WWTP-0010	0					0
WWTP-0011 Water Treatment Plant Capacity Increase	WWTP-0011	0	200,000	3,560,000	2,340,000		6,100,000
WWTP20-01 WWTP WDR Permit Renewal Project	WWTP20-01	250,000					250,000
<b>Public Works Total</b>		<b>5,955,000</b>	<b>3,530,000</b>	<b>6,475,000</b>	<b>5,255,000</b>	<b>2,740,000</b>	<b>23,955,000</b>



Department	Project #	'22/'23	'23/'24	'24/'25	'25/'26	'26/'27	Total
<b>RDA Successor Agency</b>							
RDA-16-01 Adell St Utility Project	RDA-16-01	50,000	1,735,000				1,785,000
RDA-16-07 Adelaide Subdivision	RDA-16-07		1,598,478				1,598,478
RDA-17-02 Yosemite Lot Development	RDA-17-02		550,970				550,970
RDA-18-02 Adell St Interconnect, Kennedy & Adell	RDA-18-02		265,000				265,000
<b>RDA Successor Agency Total</b>		<b>50,000</b>	<b>4,149,448</b>				<b>4,199,448</b>
<b>Transit Program</b>							
Trans-10 AHSC Transit Developments	Trans-10	177,000	416,000				593,000
TRANS-11 Transit Center Charging Station Project	TRANS-11		586,785				586,785
<b>Transit Program Total</b>		<b>177,000</b>	<b>1,002,785</b>				<b>1,179,785</b>
<b>GRAND TOTAL</b>		<b>62,155,890</b>	<b>43,050,565</b>	<b>23,927,410</b>	<b>13,589,090</b>	<b>45,379,778</b>	<b>188,102,733</b>



## **Attachment 2: Planning Commission Resolution**



**RESOLUTION NO. 1929**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
MADERA FINDING THAT THE PROPOSED 2022/23 TO 2026/27 CAPITAL  
IMPROVEMENT PROGRAM IS IN CONFORMANCE WITH THE GENERAL  
PLAN AND SPECIFIC PLANS OF THE CITY OF MADERA AS REQUIRED BY  
SECTION 65401 OF THE GOVERNMENT CODE.**

**WHEREAS**, Section 65401 of the Government Code requires the Planning Commission of cities and counties to review any Capital Improvement Program in its jurisdiction for conformance with the agency's adopted General Plan and Specific Plans; and

**WHEREAS**, the City Council of the City of Madera reviewed the active and proposed projects in the Fiscal Year (FY) 2022/23 to 2026/27 Capital Improvement Program at their meeting on June 16, 2022; and

**WHEREAS**, the proposed projects reflect the major need for airport, streets, public utilities, parks and other community facilities during the next five years in concert with the provisions in the adopted General Plan and Specific Plans; and

**WHEREAS**, the City Council of the City of Madera has forwarded the FY 2022/23 to 2026/27 Capital Improvement Program to the Planning Commission for determination of conformance with the City General Plan and Specific Plans pursuant to Government Code Section 65401; and

**WHEREAS**, the Planning Commission reviewed the active and proposed projects in the FY 2022/23 to 2026/27 Capital Improvement Program, evaluated all attached supporting documents and considered testimony received as part of the public hearing process at their meeting on July 12, 2022.

**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. In the independent judgement of the Planning Commission, and based upon the whole of the record before the Commission, the Commission finds that the resolution of finding of conformance under review by the Commission at this time does not have the possibility of having a significant effect on the environment and has been determined to be exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15061(b)(3), which states that a project is exempt from CEQA when the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.
3. The Planning Commission hereby finds the updated FY 2022/23 to 2026/27 Capital Improvement Program in conformance with the General Plan and Specific Plans of the City of Madera.
4. This resolution is effective immediately upon adoption.



Passed and adopted by the Planning Commission of the City of Madera this 12<sup>th</sup> day of July 2022,  
by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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Robert Gran Jr., Chairperson  
City Planning Commission

Attest:

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Gary Conte  
Planning Manager



**ABN 2022-01**

**Clark St. Summary Vacation Determination of Conformity to the City General  
Plan and Determination of Environmental Review**

STAFF IS REQUESTING THIS ITEM BE CONTINUED TO THE AUGUST 9, 2022 PLANNING  
COMMISSION MEETING.