



REGULAR MEETING OF THE MADERA PLANNING COMMISSION

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

**Tuesday, March 14, 2023
6:00 p.m.**

**Council Chambers
City Hall**

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: 82377976185# followed by *9 on your phone when prompted to signal you would like to speak, or by computer at <https://www.zoom.us/j/82377976185>. Comments will also be accepted via email at planningcommissionpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

CALL TO ORDER:

ROLL CALL:

Chairperson Robert Gran Jr.
Vice Chair Ramon Lopez-Maciel
Commissioner Rohi Zacharia
Commissioner Khubaib Sheikh
Commissioner Balwinder Singh
Commissioner Saim Mohammad
Commissioner Jose Eduardo Chavez

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. Speakers will be asked, but are not required, to identify themselves and state the subject of their comments. If the subject is an item on the Agenda, the Chairperson has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on

the Agenda should be held until the hearing is opened. The Commission is prohibited by law from taking any action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the Commission does not respond to public comment at this time.

PUBLIC HEARINGS:

1. CUP 2022-25 & SPR 2022-43 – El Epazote

Subject: A noticed public hearing to consider a conditional use permit and site plan review to allow for the sale of beer and wine for on-site consumption and use of an outdoor barbeque in conjunction with an existing 1,100 square foot restaurant. The site is located at 301 N. Gateway Dr. in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 007-071-001).

The project is considered to be categorically exempt per Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA) Guidelines.

Recommendation:

Staff is requesting this item be continued to the April 11th, 2023, Planning Commission meeting.

2. REZ 2022-06 & SPR 2022-10 – 3rd & D St. Multi-Family

Subject: A noticed public hearing to consider the rezone of 0.33-acre site from C1 (Light Commercial) to R3 (Residential) for consistency with the site's MD (Medium Density Residential) General Plan land use designation and the development of 2 tri-plexes on the 0.33-acre site. The site is located at the southwest corner of 3rd and N. D St. APN's: 007-075-013 & 014.

The project is considered to be categorically exempt per Section 15332, In-Fill Development, of the California Environmental Quality Act (CEQA) Guidelines.

Recommendation:

The applicant is requesting this item be continued to an undetermined later date.

3. DOU 2023-01 – Body Massage and Sculpting

Subject: A noticed public hearing to consider a Determination of Use for the allowance of medical and personal body massage and sculpting establishments in C1 (Light Commercial) and C2 (Heavy Commercial) Zone Districts subject to a use permit. (Report by Robert Smith)

The proposed micropigmentation/tattoo cosmetic service business is categorically exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA).

Recommendation:

Conduct the public hearing and adopt:

- a. Adopt a Resolution adopting a Findings of Exemption from CEQA pursuant to CEQA Guidelines, Section 15061(b)(3) (General Rule) and approving Determination of Use 2023-01 subject to the findings.

4. CUP 2022-19 & SPR 2022-28 – Pure Essence Massage

Subject: A continued public noticed hearing to consider a Conditional Use Permit and Site Plan Review to allow for the establishment of a business, Pure Essence Massage (massage therapy, lymphatic treatment, body sculpting, etc.) in Suite H of the 47th Place West Shopping Center located at 1930 Howard Road, in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 009-361-017). (Report by Robert Smith)

The proposed massage business is categorically exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA).

Recommendation:

Conduct the public hearing and adopt:

- a. Adopt a Resolution adopting a Findings of Categorical Exemption from CEQA pursuant to CEQA Guidelines Section 15301 for the project and approving Conditional Use Permit 2022-19 and Site Plan Review 2022-28 allowing the establishment of the Pure Essence business to operate in Suite H of the 47th Place West Shopping Center located at 1930 Howard Rd, based on, and subject to, the findings and conditions of approval.

5. CUP 2022-35 & SPR 2022-45 – Precision by Noco

Subject: A continued noticed public hearing to consider a Conditional Use Permit and Site Plan Review to allow for the establishment of a business, Precision by Noco (micropigmentation/tattoo cosmetic service) in Suite M of the 47th West Shopping Center located at 1930 Howard Road, in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 009-361-017). (Report by Robert Smith)

The proposed massage business is categorically exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA).

Recommendation:

- a. Adopt a Resolution adopting a Findings of Categorical Exemption from CEQA pursuant to CEQA Guidelines Section 15301 for the project and approving Conditional Use Permit 2022-35 and Site Plan Review 2022-45 allowing the establishment of the Precision by Noco business to operate in Suite M of the 47th Place West Shopping Center located at 1930 Howard Rd, based on, and subject to, the findings and conditions of approval.

6. TSM 2017-02 EXT 3 – CVI-2 Subdivision

Subject: A noticed public hearing to consider an application requesting an extension of a previously approved 19 lot residential Tentative Subdivision Map (TSM 2017-02). The map, first approved by the Commission on August 14, 2018, has been subject to previous extensions. The site is located at the southwest corner of the intersection of Adell Street and N. Lake Street in the PD-4500 (Planned Development) Zone District with an LD (Low Density) General Plan land use designation (APN's: 008-102-007 & 008). (Report by Robert Smith)

A Negative Declaration was adopted for the approved Tentative Subdivision Map on August 14, 2018. No further environmental review is required for the proposed extension.

Recommendation:

- a. Adopt a Resolution approving a 12-month time extension to Tentative Subdivision Map 2017-02. A Negative Declaration was adopted for the project by the Planning Commission on August 14, 2018. No further Environmental Review is warranted per CEQA Guidelines, Section 15162.

ADMINISTRATIVE REPORTS:

COMMISSIONER REPORTS:

ADJOURNMENT:

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- The meeting room is accessible to the physically disabled. Requests for accommodations for persons with disabilities such as signing services, assistive listening devices, or alternative format agendas and reports needed to assist participation in this public meeting may be made by calling the Planning Department's Office at (559) 661-5430 or emailing planninginfo@madera.gov. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be made as soon as practicable as additional time may be required for the City to arrange or provide the requested accommodation. Requests may also be delivered/mailed to: City of Madera, Attn: Planning Department, 205 W. 4th Street, Madera, CA 93637. At least seventy-two (72) hours' notice prior to the meeting is requested but not required. When making a request, please provide sufficient detail that the City may evaluate the nature of the request and available accommodations to support meeting participation. Please also provide appropriate contact information should the City need to engage in an interactive discussion regarding the requested accommodation.
 - The services of a translator can be made available. Please contact the Planning Department at (559) 661-5430 or emailing planninginfo@madera.gov to request translation services for this meeting. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be submitted in advance of the meeting to allow the City sufficient time to provide or arrange for the requested services. At least seventy-two (72) hours' notice prior to the meeting is requested but not required.

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.