

## REGULAR MEETING OF THE MADERA PLANNING COMMISSION

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

### NOTICE AND AGENDA

Tuesday, September 12, 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: 86710380954# followed by \*9 on your phone when prompted to signal you would like to speak, or by computer at <https://www.zoom.us/j/86710380954>. 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.

---

#### **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:** October 21, 2021 & November 9, 2021

#### **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.

**CONSENT ITEMS: None**

**PUBLIC HEARINGS:**

**1. CUP 2022-04 & SPR 2022-05 – Townplace Suites**

**Subject:** A noticed public hearing to consider a conditional use permit and site plan review for the proposed development of a 53,313 sq. ft., 5-story Townplace Suites Hotel with 94 suites and 92 parking spaces on a 1.48-acre parcel approximately 400 feet southwest of the Avenue 17 / Airport Drive intersection. Site access will be via one driveway on the eastside of the site connecting to an existing private drive with connectivity to Avenue 17 and Airport Drive. The site is zoned C2 (Heavy Commercial) with a General Plan land use designation of C (Commercial). APN: 013-012-020

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines, Section 15332 (Infill Development). The project is consistent with the site’s General Plan and Zoning Ordinance and the site is served by public services and utilities. The site has no value as habitat for endangered, rare or threatened species. Nor would the project result in any significant effects related to traffic, noise, air quality or water quality.

**Recommendation:**

**Staff is requesting this item be continued to the October 10, 2023, Planning Commission meeting.**

**2. VAR 2022-02 & SPR 2022-01 – Madera Police Department Parking Lot Expansion (Report by Adam Sanchez)**

**Subject:** A noticed public hearing to consider a variance and site plan review to establish a secured parking area adjacent to the City of Madera Police Department’s Headquarters building at 330 S. C St currently used for unsecured employee and police vehicle parking. The City is proposing to reconstruct the unsecured employee parking area to provide 42 parking spaces secured by an eight (8) foot high slatted chain linked fence. The proposed parking area is approximately 0.32 acres located at 320 S. C St. in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation. APN: 007-191-017

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15332 (Infill Development). The project is consistent with the site’s General Plan and Zoning Ordinance and the site is served by public services and utilities. The site has no value as habitat for endangered, rare or threatened species. Nor would the project result in any significant effects related to traffic, noise, air quality or water quality.

**Recommendation:**

Conduct the hearing and;

- a. Adopt a Resolution approving Variance 2022-02 and Site Plan Review 2022-01 subject to the findings and conditions of approval.

**3. Fiscal Year 2023/24 to 2027/28 Capital Improvement Program Determination of Conformity to the City of Madera General Plan (Report by Ellen Bitter)**

**Subject:** A noticed public hearing to consider a resolution finding the Fiscal Year 2023/24 to 2027/28 Capital Improvement Program in conformance with the General Plan and Specific Plans of the City of Madera pursuant to Government Code Section 65401

Staff performed a preliminary environmental assessment and has determined that the project is exempt under Section 15061(b)(3) (General Rule) of the California Environmental Quality Act (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.

**Recommendation:**

Conduct the hearing and;

- a. Adopt a Resolution confirming the Fiscal Year 2023/24 to 2027/28 Capital Improvement Program conforms with the City of Madera's General Plan.

**ADMINISTRATIVE REPORTS:**

**COMMISSIONER REPORTS:**

**ADJOURNMENT:**

- 
- 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](mailto: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](mailto: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.

**CUP 2022-04 & SPR 2022-05  
Townplace Suites**

Staff is requesting this item be continued to the October 10, 2023, Planning  
Commission meeting.

**CITY OF MADERA PLANNING COMMISSION  
REGULAR MEETING  
October 12, 2021**

**CALL TO ORDER:** The meeting was called to order by Vice Chairperson Gran at 6:11 p.m. due to technical issues with Zoom.

**ROLL CALL**

**PRESENT:** Commissioner Robert Gran Jr. (Chairperson)  
Commissioner Alex Salazar (Vice Chairperson)  
Commissioner Ryan Cerioni  
Commissioner Ramon Lopez  
Commissioner Balwinder Singh  
Commissioner Rohi Zacharia

**ABSENT:** Commissioner Bobby Sheikh

**STAFF:** Gary Conte, Planning Manager  
Keith Helmuth, City Engineer  
Randy Bell, Deputy City Engineer  
Brandi Garcia, Recording Secretary  
Derek Sylvester, Associate Planner  
Adam Klier, Assistant Planner  
Olga Saucedo-Garcia, Planning Assistant  
Nick Papajohn, Legal Counsel

**PLEDGE:**

**PUBLIC COMMENT:** None

**MINUTES:** None

**CONSENT ITEMS:** None

**PUBLIC HEARING ITEMS:**

**1. CUP 2021-04 & SPR 2021-12 – Smoke Yard (Derek Sylvester)**

A noticed public hearing to adopt a resolution denying Site Plan Review 2021-12 and Conditional Use Permit 2021-04. An originally noticed public hearing to consider a resolution to adopt findings of categorical exemption pursuant to CEQA Guidelines, Section 15301 (Existing Facilities) and to approve SPR 2021-12 and CUP 2021-04 approving the establishment of a smoke shop (Smoke Yard) for the purpose of selling cigarettes and tobacco accessories, as well as clothing (hats and shirts) and snack food and drink (packaged processed convenience foods, soda, water). This is a continuance from the August 26, 2021, Special Planning Commission meeting with direction to staff to prepare a resolution affirming the Planning Commission's

August 26, 2021, tentative decision to deny Site Plan Review 2021-12 and Conditional Use Permit 2021-04.

Chairperson Gran asked if any Commissioner's need to recuse themselves.

Commissioner Cerioni said he would need to recuse himself. He was not in attendance at the prior meeting and was unable to listen to the recording due to technical difficulties.

Chairperson Gran noted Commissioner Cerioni had left the room and will not be participating in this item. He asked if any Commissioner has received additional information after the close of the public hearing. He also noted that there was an email received by Commissioner Sheikh and he read the email. He noted he is not relying on any information in the email to make his decision and he has already made his decision.

The Commissioners all noted their votes for denial have not changed.

Chairperson Gran said the public hearing had been closed at the last meeting and it will not be reopened.

Associate Planner, Derek Sylvester went over the item with a short presentation.

Chairperson Gran confirmed that all Commissioners are ok with not opening the item to the public since there is no new information received.

Commissioner Singh moved to adopt motion 1 adopting a Resolution for denial. Seconded by Commissioner Salazar the motion carried unanimously.

Mrs. Garcia polled the Commissioners:

Commissioner Rohi Zacharia - yes  
Commissioner Balwinder Singh - yes  
Commissioner Ramon Lopez - yes  
Vice Chairperson Alex Salazar - yes  
Chairperson Robert Gran Jr. - yes

**2. PPL 2020-03 MOD, LLA 2020-04, ABN 2020-01, ABN 2020-02 & ABN 2021-01 – Grove Garden (Derek Sylvester)**

A noticed public hearing for an application for a Precise Plan Modification (PPL 2020-03 MOD), Lot Line Adjustment (LLA 2020-04), and Abandonments (ABN 2020-01, ABN 2020-02, ABN 2021-01) to accommodate the previously approved Garden Grove multifamily housing project. The properties being adjusted are on the southeast corner of Noble and Maple Street. The affected parcels are APNs 012-026-001 (304 Grove Street) and 012-402-006 (421 Noble Street). The alley being abandoned runs along Noble Street and the western property line of 304 Grove Street. ABN 2020-01 and ABN 2020-02, respectively, call for the alley and southern terminus of Grove Street to be abandoned. ABN 2021-01 proposes an abandonment of Noble Street right-of-way on the southeast corner of its intersection with Maple Street. The abandonment of the alley and Grove and Noble Street portions will add approximately 16,927 square feet to accommodate the housing development. The lot line adjustment (LLA 2020-04) will perfect the changes to the property boundaries after all abandonments. PPL 2020-03 MOD addresses changes to previously

approved PPL 2020-03, such as building layout, setbacks, overall site design, and modifications to the conditions of approval. The project site is zoned PD-2000 (Planned Development) with an HD (High Density Residential) General Plan (APN's: 012-026-001 & 012-402-006).

Chairperson Gran asked if there were any Commissioners that needed to recuse themselves from this item.

Commissioner Cerioni recused himself due to a conflict of interest. He is a business partner with the business Family Trust.

Derek Sylvester presented the item noting it was a modification for the previously approved project. The changes were mainly for Building C and the abandonments of the alley and the Noble St. portion. There's a reduction in open space, however the project is still able to maintain the amount approved in the Variance.

Additional changes are the tot lot and BBQ area in the southeast corner replacing the lost open space, and request to change the floor plans from 2-bedroom 1 bath to 3-bedroom 2 bath models. This change drives no additional development standards but does provide better opportunities for families to get the housing they need.

Staff is requesting that the 7 ft. CMU wall be adjusted to 6 ft.

Regarding the abandonments, ABN 2020-01 is the alley long Noble St. that is proposed to be abandoned. ABN 2020-02 is the southern Grove St. 80 ft x 175 ft section that will add quite a bit of lot area to the project site. There's also the portion of Noble St., the triangular portion. The Precise Plan is contingent upon these approvals.

The Lot Line Adjustment adjusts the property lines after the abandonments.

Chairperson Gran asked the Commissioner's if there were any questions of Mr. Sylvester. With no questions, the public hearing was opened, and the applicant was invited to speak.

Larry Moore from Berry Construction was in attendance.

Chairperson Gran confirmed he was in agreement with all conditions.

Mr. Moore said he agreed.

With nobody else to speak on the item, the public hearing was closed, and the item was returned to the Commission for further processing.

Commissioner Lopez moved to approve motion 1. Seconded by Commissioner Salazar, the motion carried unanimously.

Commissioner Rohi Zacharia - yes  
Commissioner Balwinder Singh - yes  
Commissioner Ramon Lopez - yes  
Vice Chairperson Alex Salazar - yes  
Chairperson Robert Gran Jr. – yes



Nick Papajohn, Legal Counsel asked if there was someone in attendance that was not originally present for the last meeting.

Commissioner Singh said he was not present at the last meeting but had reviewed all information prior to this meeting.

Commissioner Cerioni returned to the Chambers.

**3. CUP 2021-24 & SPR 2021-26 – Alpha Motors (Derek Sylvester)**

An application for a site plan review and conditional use permit to allow the operation of an online only used car sales and parts business, Alpha Motors. The address is currently being used for an existing business, Boost Mobile, where the business operations of Alpha Motors will be conducted out of a spare office within the same building suite. The site is located on the east corner of North A Street and East Yosemite Avenue in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation. APN: 007-171-012

The item was presented by Associate Planner, Derek Sylvester.

With no questions of Mr. Sylvester, the public hearing was opened, and the applicant was invited to speak.

David Estrada, the applicant spoke.

Chairperson Gran confirmed that he was in agreement with all the conditions and thanked him for being in attendance.

Dr. Emilio Garcia stepped to the podium to speak next. He is the current owner and tenant of 500 E. Yosemite Ave. David is his neighbor.

He wanted to be on record that he is pro-business, but he does have some concerns that were stated in his email. Everyone comes through his property to access the parking. Some use street parking but most come through the rear to the parking. The liability of the parking lies on him. He has signs to delegate his parking and their parking. He is concerned that if this becomes a business where vehicles are going to be parked and customers are going to be coming and taking up spaces. He wants to get along with his neighbors, but he does have concerns. If there are any issues, how can the City help him resolve them?

Mr. Conte, Planning Manager spoke. He said there are a series of conditions that are specific for the project and where they are allowed to park. If this applicant and the business begins to encroach into the parking stalls that reserved for his business, he can address it with the neighbor, but if that fails, he can contact the Police Dept. and they have the ability to tow the cars.

Dr. Garcia said usually that doesn't work. He would just like some reassurance that there is the possibility though.

Mr. Conte said that if the applicant continues to not abide by his conditions, he can lose his business license and the ability to conduct that type of business at that location.

Dr. Garcia said thank you and that he hoped there wouldn't be any issues and that he never has to tow anyone.

Chairperson Gran asked Brandi Garcia, Recording Secretary to read Dr. Emilio Garcia's email into the record.

Commissioner Lopez asked Mr. Estrada if he was going to be selling running vehicles or just selling them as parts?

Mr. Estrada said he will be doing both. He will be running them through dealer auctions where other dealers can purchase them and resell them or he will be purchasing them as semi used and resell them as retail. It will all be done online, and he doesn't expect any traffic at all.

Commissioner Gran confirmed that any vehicle on site will be in working condition and will not be parted out.

Mr. Estrada confirmed that was true, if there was ever one there.

Commissioner Salazar asked in what instances will a vehicle be stored on site.

Mr. Estrada said only if a vehicle was purchased at a dealer auction in the area and another dealer was coming to pick it up as a wholesale or if he was going to sell it to the public. It would be there only during the paperwork exchange.

Chairperson Gran confirmed it would not be for longer than 48 hours.

Mr. Estrada said that is correct.

Commissioner Lopez asked if the site would be used to store the parts and for office or how will he be using it.

Mr. Estrada said all parts will be sold online; no parts will be at the site. Only the office.

Commissioner Salazar confirmed that parts are purchased and sold online only.

Mr. Estrada said that if might be a vehicle that is no longer road worthy and only good for parts and the person would purchase the parts online then go to the lot to pick up the vehicle for parts. Nothing stored at this site.

Commissioner Lopez moved to approve Motion 1 as stated. Seconded by Commissioner Salazar the motion carried unanimously.

Commissioner Rohi Zacharia - yes  
Commissioner Balwinder Singh - yes  
Commissioner Ramon Lopez - yes  
Vice Chairperson Alex Salazar - yes  
Chairperson Robert Gran Jr. - yes

**NON-PUBLIC HEARING ITEMS:** None

**ADMINISTRATIVE REPORTS:**

Mr. Conte said he cannot guarantee the partitions could be removed for the meetings. However, he will find out and if possible, the partitions will be gone.

**COMMISSIONER REPORTS:** None

**ADJOURNMENT:** 6:57 pm

---

Planning Commission Chairperson

---

Brandi Garcia, Recording Secretary

DRAFT

**CITY OF MADERA PLANNING COMMISSION  
REGULAR MEETING  
November 9, 2021**

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

**ROLL CALL**

**PRESENT:** Commissioner Robert Gran Jr. (Chairperson)  
Commissioner Alex Salazar (Vice Chairperson)  
Commissioner Ramon Lopez  
Commissioner Balwinder Singh  
Commissioner Rohi Zacharia  
Commissioner Bobby Sheikh

**ABSENT:** Commissioner Ryan Cerioni

**STAFF:** Gary Conte, Planning Manager  
Keith Helmuth, City Engineer  
Randy Bell, Deputy City Engineer  
Brandi Garcia, Recording Secretary  
Derek Sylvester, Associate Planner  
Ricardo Olea, Assistant Planner  
Sara Allinder, Contract Planner  
Nick Papajohn, Legal Counsel

**PLEDGE:**

**PUBLIC COMMENT:** None

**MINUTES:** None

**CONSENT ITEMS:**

**1. Addendum to the Initial Study/Negative Declaration for the Grove Gardens Project (Derek Sylvester)**

A proposal to correct the adopted Initial Study/Negative Declaration (IS/ND) for the Grove Gardens Project previously adopted by the Planning Commission on May 12, 2020. Following the adoption of the IS/ND, the project proponent submitted subsequent applications for project related street and alley abandonments, lot line adjustment, and a precise plan modification not originally included as part of the project description nor analyzed in the IS/ND adopted on May 12, 2020. At the October 12, 2021, regular meeting of the Planning Commission, these applications were considered and approved, along what should have been identified as an “addendum” to the IS/ND for the Grove Gardens Project. The staff report and attachments of that October 12, 2021, report incorrectly referred to the addendum of the IS/ND as a an “amendment.” Staff has made the necessary correction to the IS/ND to reflect the appropriate terminology.

Mr. Sylvester summarized the item for the Commission.

The Grove Gardens incorrectly referred to the document as an amendment but should have been noted as an addendum.

Chairperson Gran said it's just legal housekeeping.

Commissioner Sheikh moved to approve as presented. Commissioner Lopez seconded the item.

Mrs. Garcia polled the Commissioners:

Commissioner Ramon Lopez - yes  
Commissioner Rohi Zacharia - yes  
Commissioner Bobby Sheikh - yes  
Commissioner Balwinder Singh - yes  
Vice Chairperson Alex Salazar - yes  
Chairperson Robert Gran Jr. – yes

The Motion carried unanimously.

**PUBLIC HEARING ITEMS:**

**1. GPA 2020-01, REZ 2021-01, SPR 2021-01 MOD & VAR 2020-01 – Sunset Apartments (Sara Allinder)**

A noticed public hearing to consider a request for a General Plan Amendment, Rezone, and Site Plan Review that would allow construction of a 15-unit multi-family residential development to include two-bedroom and three-bedroom apartments on a 0.875-acre site. A new two-story building is proposed to accommodate 11 units while the existing building on-site would be renovated for 4 two-story units. The General Plan Amendment proposes to amend the land use designation for the property from C (Commercial) to HD (High Density Residential). The Rezone proposes to rezone the northern approximately 0.2 acres of the property from the R1 (One unit per 6,000 square feet of site area) zone district to the R3 (One unit per 1,800 square feet of site area) zone district. The site is located at the northeast corner of Orchard Avenue and Sunset Avenue. APN: 006-182-007

An Initial Study/Negative Declaration has been prepared for consideration by the Planning Commission (Commission), consistent with California Environmental Quality Act (CEQA).

Chairperson Gran noted that Dr. Naz took care of both his children. However, he has not had correspondence with him in about a year or so.

Vice Chairperson Alex Salazar said he has done business with Dr. Naz in the past but there are currently no financial interests at the moment, nor have they had discussion on the item.

Commissioner Singh said the owner of the project is related to him as an uncle, but he has no financial interest in the project and being a relative will not stop him from making a fair decision.

Sara Allinder, Provost & Pritchard Contract Planner presented the item.

Mrs. Garcia read into the record an email received in opposition to the project.

Mrs. Allinder continued presenting the project noting the available motions for the item.

Chairperson Gran asked if there were any questions of Sara.

Commissioner Lopez asked if these were to be single family residential, how many could you fit.

Mrs. Allinder said it could accommodate four single family residential lots.

Commissioner Lopez asked, if any family that lived in these apartments wanted to have a BBQ, is there space for that?

Mrs. Allinder said there is a common area at the Northwest corner of the project site. It does meet the standard of 500 sq. ft. per unit and slightly exceeds it.

Chairperson Gran asked if the site is currently zoned for Commercial.

Mr. Allinder said it is planned Commercial but zoned R3 on a majority of the site then a small piece is R1 on the northern end. It is planned for Commercial currently.

Chairperson Gran asked if that's how it came into the City from the County.

Mrs. Allinder said it is her understanding that the gym was on site and the last General Plan update recognized that existing use. She doesn't know what it was prior to that taking place in 2009.

Chairperson Gran opened the public hearing and invited the applicant to come forward.

Gary Rogers stepped to the podium. This property had an old gym on it, and it was run down. This was an eyesore and unfortunately it became a home for the homeless. They built a fire inside one morning and the fire got out of hand burning down the building. Everything burnt down except the concrete walls. Because of the insurance company they had to leave it like that for a while. That process took a year and the use permit expired. It took another four months to clean up the site.

This is the second time he has come in front of the Commission for this item. When they decided to rebuild this, they also took a lot of the comments and concerns from the neighbors. The traffic, noise and street corner were some of them. Even the number of units that were being proposed. A few neighbors think it will be run down in a few years. They have worked that out and redesigned the front of it. They are now able to put more into it. His staff worked on it for several months to come up with a design the neighbors might really like. The buildings are about 1500 sq. ft. on average. That's almost as big as some of the houses in the area. They are big enough to fit in with the surrounding area. They have provided landscape areas and areas where the families can BBQ or have activities.

They have provided plenty of parking, two spaces for each unit. There are three extras for guests to use. The traffic will go out on Orchard, and they will not go through the area where the houses are. All traffic will be kept away from the neighbors. The corner where the children will be, previously noted as the most dangerous in the City. However, he did some research and

in the last 20 years, only one child has been hurt. He disagrees with the comment that the children are not smart enough, because our children are smart.

There will not be any more noise than normal for a neighborhood. The construction noise will be temporary. The traffic and number of cars has been a concern. However, according to the traffic report only showed 7 in the morning and about 9 later. That is not a whole lot compared to what was there for 30-40 years. That argument doesn't hold water for him.

There's a block fence on the alley so kids don't cut across the property and go to the alley to do things in the alley that they shouldn't. So, they will do the block wall to prevent that. The trash enclosure will be in the alley and enclosed from the neighbors' houses. Only the garbage truck will be able to get in and access it.

The impact on the schools, they are not going to put that many more students in the school. There may be 54 children total over a year that may be using the three schools nearby. That's not very many new students when Madera expects there to be 66,000 new students in the next 20 years. They will be paying the fair amount of school fees, about 20-25,000 just for the school fees. Granted that won't build a school but it's not their job to. They are just required to pay the fees to the school district.

He believes this project will increase the value of the neighborhood. The homes around are about 30-40 years old and have reached their maximum value already. This should help increase the area now though.

Chairperson Gran asked the Commission if they had any questions of Mr. Rogers.

Commissioner Singh asked what the approximate rent will be for the units, estimated.

Mr. Rogers said it will be about \$1400 - \$1600 a month.

Chairperson Gran said it seems like an upscale project.

Mr. Rogers said it will enhance the entire neighborhood.

Commissioner Singh said he would imagine that's similar to what those in the surrounding houses may be paying per month. He asked what the proposed number of tenants would be living there, 3-4 people?

Mr. Rogers said they are thinking of a couple and maybe a couple kids. There would be a limit of 2-3 kids. He knows that people tend to rent then bring in the cousins or uncles to help pay the rent. The lease will be for the single family, not joint families as well.

Commissioner Lopez said we always tend to compare what we have with what we had before. The apartments are being compared to the gym that was in bad condition. The gym was removed because it was non-conforming and bad for the neighborhood. We don't want to compare something with something bad. It should be something good with something good. His biggest concern is the children. Will the cross walk be improved for the children that cross Sunset going to John Adams?

Mr. Rogers said they are not planning on improving it but at the last meeting that was discussed and the City was going to look into it.

Commissioner Lopez asked if it is required, would it be considered a burden to the project?

Mr. Rogers said they agree to all conditions from the City, however, if any new conditions are applied, they would need to meet with staff and take it into consideration.

Commissioner Lopez asked about the second floor. Are there windows in the section where the homes are?

Mr. Rogers said that was one of the problems the first time, the neighbors didn't want the tenants looking down into the backyards. They were able to design them to have no windows looking into the backyards. Only the one existing section that didn't burn will have windows. There will be landscaping that will eventually grow to cover it. That will take probably 2-3 years.

Chairperson Gran noted that Mrs. Allinder said the second floor is privacy glass.

Mr. Rogers said yes, that's for the four units.

Chairperson Gran thanked Mr. Rogers and invited anyone else wishing to speak to come forward.

Aftab Naz, property owner, stepped to the podium. He said he was excited about this site and developing it to enhance the value of the property and neighborhood. Then unfortunately it burned down, and everything had to be redone though it was approved for 15 units the last time. Then there was COVID, and then something about the Indian Council in case artifacts were there under the gym, so that took another 3-4 months, and the project has been delayed. It will be a high-end luxury apartment complex. There will be two bedrooms that could accommodate 1-2 kids and the three bedrooms maybe 3 kids at the most. They will only be rented to a single family and no others. They are enclosing it with the block wall on the alley side and the other will have a wrought iron fence all around the property. The buildings will be double story but no higher than the ones that were already there. He would like to have this approved as presented and they agree with all the conditions. He would like to start on it asap.

Chairperson Gran asked if there were any questions of Dr. Naz.

Commissioner Lopez said he remembers the past approval and there was a variance. However, there's no variance this time, correct?

Dr. Naz said there is no variance. They have redesigned the whole thing. Before, they had to use the existing building that had block walls. Now, there is more open space available.

Commissioner Singh said the fire has made it a better space to work with.

Mr. Conte, Planning Manager said the variance was previously required because of the setback issue from the road.



Chairperson Gran thanked Dr. Naz and asked if anyone else would like to speak for or against the project.

Gerald Holiday stepped to the podium. He thanked Mr. Conte for his conversation the other day and noted his issue is with the traffic. He moved into the area on Fairview St. in 1953 and swam in the club in 1954. They moved a little closer and to the west of the site. The traffic is horrendous with people late to work or in a hurry to get home. The traffic concern is real.

He's not against the project, it's better than what is there now. He would like to see the City do something with Orchard and would like no on street parking. If you park along the sidewalk, you cannot see the kids. It's correct, there probably hasn't been anyone hit at the crosswalk but there have been accidents at Orchard and Venturi. The children need visibility with no cars parked along the street. The City has put red curbs in front of Jefferson. However, people drop off there and don't pay attention to the red. He would like to see 'Tow Away' signs. He drives through there 4-5 times per day. If there's cars parked on the corner, it's really difficult. In addition, if there's a fence in the front, he would like to see it kept low enough so you can see.

Chairperson Gran asked if there were any questions of Mr. Holiday.

Commissioner Lopez said he understands the concerns but there are no questions.

Mr. Holiday said it seems like every apartment complex has so many cars parked on the street.

Commissioner Singh said that is one of their concerns also and they do take it into consideration.

Chairperson Gran thanked Mr. Holiday and asked if anyone else would like to speak on the item.

Betsy DaSilva stepped to the podium and noted she has lived on Orchard Ave. for 30 years. She asked what year the traffic study was done, in what year?

Mrs. Allinder replied but is unable to be heard on the audio.

Keith Helmuth, City Engineer spoke up and said he is not aware of a specific traffic study being done for this. The project does not warrant a traffic study based on its size. One is typically required when it will generate 100 peak hour trips. This is relatively small. They did however, go ahead and figure out the trip generation at the last meeting. He doesn't have it with him, but it was presented already at the last meeting. It was probably no more than 10-12 trips per hour during the peak hour for this project, but he is not aware of a traffic study.

Mrs. DaSilva said she is not concerned about the apartment building but the people that drive their kids to school in the morning. When she walks her grandchild in the morning there's cars backed up. That's the traffic she's talking about, what's there now. The apartment would just add to it in front of the complex. There are no sidewalks on Orchard, and you have to walk on the street until you get to the spot where there are sidewalks. She doesn't think 7-10 cars qualifies, she's worried about the kids. The apartment complex is fine, but it's the traffic. The City needs to take care of it and put a stop sign at Ventura to slow people down.

Chairperson Gran thanked Mrs. DaSilva and asked if anyone else would like to speak on the item.

Seeing none, the applicant was invited back to the podium if he wished.

Mr. Rogers said he is aware of the traffic, and they have no control over that. All they can do is minimize their input of cars on the street. Maybe staff can meet with the public for input on the issue but that is not what is being talked about tonight. We are talking about this project, not what the City should or could do. This is something that could be considered in the future with the City but in the meantime they would like their project to move forward and not be stalled by something they have no control over.

Chairperson Gran thanked Mr. Rogers and returned the item to the Commission for further processing.

Commissioner Lopez said he knows the area really well and used to live in the neighborhood. His children used to walk to John Adams. He knows this will be better than the gym that was there, but he is concerned about the kids. He would like to see if the City could add a condition to improve the cross walk.

Commissioner Salazar said he understands the concern, but that's the school district. They need to also be part of these conversations so they could put up a light or something.

Commissioner Lopez said he understands that but is there is a possibility to make it a condition?

Commissioner Salazar said he thinks the concerns are valid, but we should be saying the School District needs to be involved as well and with every other apartment complex that gets approved throughout the town.

Commissioner Lopez asked if it could be done later when they issue a permit. Can we say you cannot move forward until you do this?

Mr. Helmuth said no, later on would not be the right time. It would need to be done now. It is within the Commission's prevue to require a better crosswalk or whatever to be installed. He did pull up the accident history prior to the meeting and he did not find any for the last four years or so. He checked with PD to confirm nothing was missing and it doesn't appear so. If there have not been any accidents at that intersection in the last four years, that makes it hard to say additional measures are necessary. It's always helpful but when there is no accident history or it's nonexistent per the records, it makes it hard to mandate it.

Chairperson Gran said he thinks this is something that definitely needs to be looked at and as the Planning Commission they can recommend to Keith that a study or a review of the area needs to be performed so they are proactive and take care of the people. We're talking about the future, not just right now. This is not something caused by the project, it has been existing. It could be worse, and they could be developing something else. However, we do need to be proactive. He does think staff did a good job addressing ingress and egress. They even addressed the graffiti issue and the block wall.

Commissioner Salazar said he thinks the traffic and the schools are very much a concern. However, he thinks there is only so much weight the Commission can carry. The other piece is the school district. The applicant is going to pay six figures to a school facility fee which to his understanding cannot be ear marked for a specific project. However, as a citizen you can go down the street and make a comment and say, we just approved this project, and I would like to see some improvements there. It needs to include the school district. The school district is meeting this evening which is the perfect time to make the comments about the school fees. The fees should not only go to change an a/c on a school. Yes, that needs the money but this needs to be addressed too.

Commissioner Lopez asked if the school district has been involved in the infrastructure of the City.

Commissioner Gran said they are informed of the development and are given the chance to give their comments. He thinks they may need a little push on it though because they're concerned about the fees and making sure they are compensated and are aware of what's going in so they can plan for the future.

Mr. Helmuth said the schools typically do not participate at least not to a meaningful degree as far as improving safety issues at or around the schools. They are very accommodating as far as proposals for change but don't necessarily fund them. Changes or improvements you see are typically done through funds the City has acquired.

With no further questions of staff Commissioner Gran entertained a motion.

Commissioner Singh moved to approve Motion 1. Commissioner Salazar seconded the motion.

Mrs. Garcia polled the Commissioners:

Commissioner Ramon Lopez - yes  
Commissioner Rohi Zacharia - yes  
Commissioner Bobby Sheikh - yes  
Commissioner Balwinder Singh - yes  
Vice Chairperson Alex Salazar - yes  
Chairperson Robert Gran Jr. – yes

The motion carried unanimously.

**2. CUP 2021-07 & SPR 2021-04 – GMG Gas Station (Sara Allinder)**

A noticed public hearing to consider a request for a Site Plan Review that would allow construction of a 1,640 square foot addition to an existing convenience store building on an approximately 0.37-acre site. Conditional Use Permit 2021-07 would memorialize the use of a gas station on the site. The site is located at the northeast corner of Madera Avenue and East Almond Avenue in the C1 (Light Commercial) zone district and has a C (Commercial) General Plan land use designation. APN: 012-133-025

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

Commissioner Singh made note that he does know the applicant for this project but has not discussed the project with him. He also would not let that affect his decision.

The item was presented by Sara Allinder, Contract Planner.

With no questions for Mrs. Allinder the public hearing was opened, and the applicant was invited to speak.

Gary Rogers, applicant stepped to the podium. He asked Mrs. Allinder about the Almond divider. What does she mean by that?

Mrs. Allinder replied, unable to hear audio.

Mr. Helmuth then addressed the question. There is a condition to install a two-foot median island from the intersection at Madera Avenue back beyond the existing driveway. This is due to the increase in square footage on the property which will increase traffic there. The driveway is also too close to the intersection. A vehicle wishing to turn left is essentially parking themselves at the intersection and anyone coming left from Madera Ave. onto Almond Ave. is encountering a vehicle they could potentially rear end. Any additions to the facility would potentially increase the traffic wishing to turn left in or left out.

Mrs. Allinder said it is Condition #77.

Mr. Rogers said this project was started by his grandson and then it was decided he would have his grandfather take care of it. The store is a bit crowded inside. Additional storage area is needed for the soda and beer, etc. Adding the additional square footage would make the store more profitable. This will require a 10 ft. setback so they reduced the area from 1800 sq. ft. down to about 150 sq. ft. so they could comply with this. The owner has agreed to it.

The trash enclosure is also outdated and non-conforming to the City and ADA requirements so a new one will be constructed. The 500-gallon propane tank will also be removed, and their Civil Engineer will take care of the divider for the street. They will do their part to help with the traffic.

The handicapped curb is being put in by the City. They will take care of repairing any damaged sidewalk and put in street trees. Their landscaper will take care of that. The landscaping there currently is minimal. The building will also be painted. Both the new and old building will match with color, windows, etc.

Commissioner Gran confirmed he agreed to Condition #77 that was just talked about for the median.

Mr. Rogers said yes, he agrees even though he doesn't like it.

Commissioner Gran asked if anyone else would like to speak on the item.

Seeing none, the public hearing was closed, and the item returned to the Commission.

Commissioner Lopez commented that he did like that safety was considered in this project.

Commissioner Sheikh moved to approve Motion 1. Commissioner Salazar seconded the Motion.

Mrs. Garcia polled the Commissioners:

Commissioner Ramon Lopez - yes  
Commissioner Rohi Zacharia - yes  
Commissioner Bobby Sheikh - yes  
Commissioner Balwinder Singh - yes  
Vice Chairperson Alex Salazar - yes  
Chairperson Robert Gran Jr. – yes

The Motion carried unanimously.

**3. CUP 2021-05 & SPR 2021-23 MOD – Gateway & Almond Convenience Store (Sara Allinder)**

A noticed public hearing requesting to modify a previously approved Site Plan Review and approve a Conditional Use Permit that would accommodate the construction and operation of a drive through facility in association with a quick serve restaurant to be located within a previously approved building on an approximately one-acre site. The site is located at the northeast corner of South Gateway Drive and East Almond Avenue in the CH (Highway Commercial) zone district and has a C (Commercial) General Plan land use designation. APN: 012-390-023

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

Staff requested this item be continued to the December 14, 2021, Planning Commission Meeting.

Chairperson Gran stated this item was pulled and moved to the December 14<sup>th</sup>, 2021 Planning Commission meeting as requested.

**NON-PUBLIC HEARING ITEMS:** None

**ADMINISTRATIVE REPORTS:** None

**COMMISSIONER REPORTS:**

Commissioner Gran asked Keith to look at the Sunset and Orchard area to maybe put some red curbs there. He also asked Mr. Helmuth how much the flashing cross walk things cost.

Mr. Helmuth said in regard to the red curb, the conditions do ask for no parking signs on Sunset. That would address the issue there. As far as Orchard, he doesn't see the need to restrict parking there. There is no concern relative to the intersection to the south. He doesn't see that would change anything. With regards to the lighted crosswalk, he would not do it at an uncontrolled intersection. There is a cost of about \$30,000 to \$40,000. They have moved away from those though and look at rectangular flashing beacons. They will take a look but don't usually move up to more intensive mitigation measures unless the accident records suggest they need to. Putting fairly extensive measures with intersections that don't need it warrants all other intersections in the City to warrant the same. He recognizes the concerns of the public and they will review the intersection. He doesn't know the basis of how the four way stop went in. It's been there for at least 15 years or more. He will look at it now on the basis of current warrants and traffic volumes.

Chairperson Gran thanked Mr. Helmuth and wished everyone a Happy Thanksgiving.

**ADJOURNMENT:** 7:47 pm

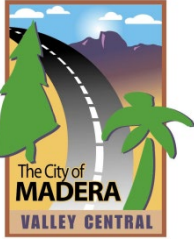
---

Planning Commission Chairperson

---

Brandi Garcia, Recording Secretary

DRAFT



## REPORT TO THE PLANNING COMMISSION

**Prepared by:**

Ellen Bitter, Deputy City Engineer

**Meeting of:** September 12, 2023

**Agenda Item:** 3

**SUBJECT:**

Consideration of a Resolution finding that the 2023/24 to 2027/28 Capital Improvement Program is in Conformance with the General Plan

**RECOMMENDATION:**

Conduct a public hearing and adopt a Resolution determining that the Fiscal Year 2023/24 through 2027/28 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 2023/24 through fiscal year 2027/28 to determine conformity with the City of Madera General Plan.

**SUMMARY:**

The City Council of the City of Madera (Council) has reviewed the active and proposed projects in the CIP and forwards the CIP to the Commission for determination of conformance with the City General Plan pursuant to Government Code Section 65401. It is recommended that the Commission adopt a resolution finding the CIP in conformance with the General Plan and Specific Plans of the City of Madera.

**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 agency's 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	1	Projects
Alley Improvements	2	Projects
Traffic Signal/Safety Improvements	7	Projects
Streets & Bridges	28	Projects
Park & Recreation Facilities Development	19	Projects
Water System Utility	25	Projects
Sewer System Utility	15	Projects
Drainage System Improvements	8	Projects
Police and Fire Department	4	Projects
Successor Agency	4	Projects
Wastewater Treatment Plant	6	Projects
Transit System	4	Projects

A brief description of the projects in each category is listed below:

Airport Operations – Apron and taxiway drainage, runway and taxiway mill and fill, as well as updating the Airport Layout Plan Narrative.

Community Development – Americans with Disabilities Act (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 – Installation of traffic signals, pedestrian beacons, and rapid rectangular flashing beacons at various locations throughout town.

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.

Bridges – Construct new bridges where none currently exist. Replace and rehabilitate existing bridges.

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, rehabilitation of the City’s existing water tower, and construction of a new water tank. Many projects are being funded with American Rescue Plan (ARPA) funding this fiscal year.



Sewer System – Construction of trunk sewer pipelines, replacement and up-grading of sewer main pipelines and rehabilitation of sewer lift stations. Many projects are being funded with American Rescue Plan (ARPA) funding this fiscal year.

Drainage System – Construction of storm drain pipelines and drainage basins and enhancements to the existing drainage system. Includes a new project for planning and design for construction of a storm drain pipeline on Howard Road.

Police and Fire Department – Improve the parking lot adjacent to the Police Station. Renovations and updates to stations 56, 57 & 58.

Successor Agency – Completion of Adelaide Subdivision, the Adell Street interconnect project, and the Adell Street utility project.

Transit System – Installation of a new canopy and charging station at the new transit center enhancements at the intermodal facility, as well as a project to relocate several bus stops throughout the City.

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.

#### **RECOMMENDATION**

The information presented in this report supports adoption of a resolution finding the FY 2023/24 to FY 2027/28 CIP in conformance with the General Plan and Specific Plans of the City of Madera.

## **PLANNING COMMISSION ACTION**

The Commission will be acting on the adoption of a resolution, included herein as an attachment.

## **ATTACHMENTS**

1. CIP Summary
2. Planning Commission Resolution

**ATTACHMENT 1**

CIP Summary

City of Madera, California  
*Capital Improvement Program*  
 '23/'24 thru '27/'28

**PROJECTS BY DEPARTMENT**

Department	Project #	'23/'24	'24/'25	'25/'26	'26/'27	'27/'28	Total
<b>Airport</b>							
AIP-0028 T-Hangar Development Phase 1	AIP-0028		0			1,071,000	1,071,000
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>1,791,000</b>	<b>3,213,000</b>	<b>125,000</b>	<b>0</b>	<b>1,071,000</b>	<b>6,200,000</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	353,129					353,129
ALY-0003 2021 CMAQ Alley Paving Project	ALY-0003	714,333					714,333
B-000002 Westberry Bridge Construction	B-000002	600,000	100,000	110,000	200,000		1,010,000
B-000004 BPMP Rehab/Repair of 3 Bridges	B-000004	230,000					230,000
B-000005 Granada Pedestrian Bridge	B-000005	230,000	180,000	2,090,000			2,500,000
B-000006 CLARK STREET BRIDGE	B-000006	70,000	583,000				653,000
CD-00002 Engineering Front Counter ADA Upgrades	CD-00002	25,000					25,000
ENG A Federal/State-Local Match	ENG A		80,000	80,000	80,000	80,000	320,000
ENG F CIP Engineering	ENG F	581,360	593,000	611,000	629,000	648,000	3,062,360
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	150,000			100,000		250,000
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	6,918,000					6,918,000
R-000031 Misc. Transportation Projects/Planning	R-000031	184,840	188,000	194,000	200,000	206,000	972,840
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	208,600					208,600
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		50,000	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	1,157,000	15,500				1,172,500
R-000058 Schnoor Ave Sidewalk-Sunset to River	R-000058	269,800					269,800
R-000060 Storey Rd Shoulder Paving	R-000060	405,450					405,450
R-000064 ADA Walkability Sidewalks Program	R-000064	40,000	80,000	80,000	80,000	80,000	360,000
R-000067 Pecan Ave Shoulder Paving	R-000067	597,770					597,770
R-000072 Ave 17/Sharon Blvd Improvements	R-000072	5,310,910					5,310,910
R-000079 RMRA Seals/Overlays 2021-22	R-000079	2,300,000					2,300,000
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	1,487,000					1,487,000

Department	Project #	'23/'24	'24/'25	'25/'26	'26/'27	'27/'28	Total
R-000082 Almond Ave Extension - Pine to Stadium	R-000082	345,000	200,000	6,100,000			6,645,000
R-000087 Almond/Pine/Stadium Traffic Study	R-000087	120,000					120,000
R-000093 Washington School Sidewalks CMAQ	R-000093	423,050					423,050
R-000094 Sidewalk Improvements Var Locations	R-000094	2,262,500					2,262,500
R-000096 Caltrans Downtown Madera CAPM Project	R-000096		3,000,000				3,000,000
R-000097 CLINTON AVE SEWER & WATER IMPROVEMENTS	R-000097	1,040,000					1,040,000
R-000098 - RMRA Seals/Overlays 2023-24	R-000098	1,595,479					1,595,479
R-000099 - FY24 STREET REHAB AND RECON PROJECT	R-000099	1,200,000	1,200,000				2,400,000
S-000012 Schnoor Ave Trunk Sewer Rehab	S-000012	100,000	1,080,000				1,180,000
S-000995 Road 28 Sewer Loan Repayment	S-000995	4,000	4,000	4,000	311,676	311,676	635,352
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-00018 Sunset Avenue Pipeline	SD-00018	431,500	3,162,800				3,594,300
SD-00019 Lake Street Pipeline Clark to Wessmith	SD-00019		250,000				250,000
SD-00020 Lake St Pipeline 80' n/o Kennedy to Clark	SD-00020		30,000	150,000			180,000
SD-00021 HOWARD ROAD STORM DRAIN PIPE	SD-00021	710,000	160,000	7,119,250			7,989,250
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	28,500	28,500	28,500	28,500	28,500	142,500
SS-00006 Fairgrounds Liftstation-VFD	SS-00006	275,000	1,680,000				1,955,000
SS-00008 2018 Sewer Manhole Project	SS-00008	150,000					150,000
SS-00009 2018 Sewer Repairs	SS-00009	270,000	2,632,000				2,902,000
SS-00010 Airport Lift Station Pumps Replacement	SS-00010	18,000	162,000				180,000
SS-00011 Mainberry Sewer - Howard to Sunset	SS-00011	105,000	440,000				545,000
SS-00012 Doubletree Sewer - Westberry to Liberty	SS-00012	175,000					175,000
SS-00013 Pecan Ave Parallel Sewer Main	SS-00013			1,915,945			1,915,945
SS-00014 Avenue 13 Sewer Trunk Main Rehabilitation	SS-00014	14,770,000					14,770,000
SS-00015 SEWER LIFT STATION R&R	SS-00015	170,000					170,000
S-STDY-1 Sewer System Assess/Rehab Phase 2	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 Phase 2	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	203,000					203,000
TS-00024 Cleveland/Granada Dr Traffic Signal	TS-00024	539,000					539,000
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	620,000					620,000
TS-00034 Granada Dr Pedestrian Improvements	TS-00034	306,600					306,600
TS-00035 LAKE & SHERWOOD TRAFFIC SIGNAL	TS-00035	662,000					662,000
W-000000 Engineering Support for Water Projects	W-000000	28,500	28,500	28,500	28,500	28,500	142,500
W-000003 Water Main Upgrades - Locations 1-12	W-000003	845,000	110,000				955,000
W-000004 Water Main Upgrades - Locations 13-23	W-000004	1,690,000	200,000				1,890,000
W-000006 H St-Water Main Upgrades	W-000006	40,000	450,000				490,000
W-000008 10th St-Water Main Upgrades	W-000008	40,000	1,090,000				1,130,000
W-000009 Gateway-Riverside River Crossing	W-000009	580,000					580,000
W-000026 Water Tower Demolition	W-000026	55,000	640,000				695,000
W-000031 Manual Read Water Meter Replacements/AMR	W-000031	1,184,500	990,000	235,000			2,409,500
W-000032 2018-19 New Water Meter Installations	W-000032	1,763,000					1,763,000
W-000033 Residential AMR Water Meter Replacements	W-000033	604,000	1,040,000	1,040,000	575,000		3,259,000
W-000037 Northeast Water Transmission Main	W-000037	430,000	3,025,200				3,455,200

Department	Project #	'23/'24	'24/'25	'25/'26	'26/'27	'27/'28	Total
W-000038 Well 27 Rehabilitation	W-000038	65,000	289,200				354,200
W-000039 2022 Year 2 Pipeline Replacements	W-000039	179,000	1,730,000				1,909,000
W-000040 2021 Year 1 Pipeline Replacements	W-000040	186,000	1,800,000				1,986,000
W-000041 2021 Leak Detection CIP	W-000041	139,000					139,000
W-000043 SR145 WATER MAIN REPLACEMENTS	W-000043	1,431,900					1,431,900
W-GW-001 Water Well 37-Install Pump	W-GW-001	1,570,000					1,570,000
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
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	1,350,000	9,000,000				10,350,000
<b>Engineering Total</b>		<b>65,952,584</b>	<b>45,853,110</b>	<b>23,867,785</b>	<b>43,089,778</b>	<b>1,677,676</b>	<b>180,440,933</b>

### Fire Department

FD-00004 Fire station 56 Upgrades & Improvements	FD-00004	100,000					100,000
FD-00005 Fire station 57 Upgrades & Improvements	FD-00005	100,000					100,000
FD-00006 Fire station 58 Upgrades & Improvements	FD-00006	150,000					150,000
<b>Fire Department Total</b>		<b>350,000</b>					<b>350,000</b>

### Parks & Community Services

PK-00001 Ped/Bike Facilities	PK-00001	145,643	39,000	40,000	50,000	50,000	324,643
PK-00013 Sunrise Rotary Sports Complex	PK-00013	215,059			1,700,000		1,915,059
PK-00048 Tulare/Cleveland/Raymond Bike Path	PK-00048	19,325	315,000				334,325
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				200,000		200,000
PK-00065 Centennial Park Pool Complex Ammenities	PK-00065	215,000					215,000
PK-00067 James Taubert Park	PK-00067	1,917,254					1,917,254
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		725,000				725,000
PK-00071 Town & Country Connectivity Project	PK-00071	1,307,300					1,307,300
PK-00072 Town & Country Park Rehabilitation	PK-00072		75,000	75,000	75,000		225,000
PK-00073 McNally Park Rehabilitation	PK-00073	609,307					609,307
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	518,737					518,737
PK-00077 - REHABILITATION AT FRANK BERGON CENTER	PK-00077	148,386					148,386
PK-00078 REHABILITATION AT PAN AMERICAN CENTER	PK-00078		100,000				100,000
PK-00079 TOWN & COUNTRY PARK BATTING CAGES	PK-00079	55,000					55,000
<b>Parks &amp; Community Services Total</b>		<b>5,206,011</b>	<b>1,739,000</b>	<b>415,000</b>	<b>2,520,000</b>	<b>50,000</b>	<b>9,930,011</b>

### Police Department

PD-00001 Police Station Parking Lot	PD-00001	919,000					919,000
<b>Police Department Total</b>		<b>919,000</b>					<b>919,000</b>

### Public Works

Department	Project #	'23/'24	'24/'25	'25/'26	'26/'27	'27/'28	Total
PW-2022: PUBLIC WORKS STREETS DEPT. ACTIVITY	<i>PW-2022</i>	2,750,000	2,870,000	2,970,000	3,070,000	2,300,000	13,960,000
RM-00001 Rtne Maint City Bridges Fresno RVR	<i>RM-00001</i>	50,000	80,000	80,000	80,000	80,000	370,000
W-000022 Water Tower Recoating	<i>W-000022</i>	683,200					683,200
W-000029 Downtown Valve Replacement	<i>W-000029</i>	40,000	350,000				390,000
W-000034 South St Water Tower Exterior Rehab	<i>W-000034</i>	1,410,300					1,410,300
W-000036 4th/Gateway Line and Valve	<i>W-000036</i>	40,000	440,000	440,000			920,000
W-000042 Chlorine Analyzers & Generators	<i>W-000042</i>	350,000	175,000	175,000			700,000
W-000044 WELL 16 DEMOLITION	<i>W-000044</i>	95,000					95,000
WWTP-0011 Water Treatment Plant Capacity Increase	<i>WWTP-0011</i>	200,000	3,560,000	2,340,000			6,100,000
WWTP23-01 - WWTP CENTRIFUGE UNITS	<i>WWTP23-01</i>	220,000	1,048,000				1,268,000
WWTP23-02 - HEADWORKS & PIPELINE CIPP LINING	<i>WWTP23-02</i>	150,000	1,050,000				1,200,000
WWTP23-03 - GRAVITY BELT THICKENER	<i>WWTP23-03</i>	130,000	648,000				778,000
WWTP23-04 - WWTP PERIMETER FENCING	<i>WWTP23-04</i>	20,000	164,000	164,000			348,000
WWTP23-05 - WWTP WASTE GAS FLARE UNIT (DIGESTOR)	<i>WWTP23-05</i>	115,000	548,000				663,000
<b>Public Works Total</b>		<b>6,253,500</b>	<b>10,933,000</b>	<b>6,169,000</b>	<b>3,150,000</b>	<b>2,380,000</b>	<b>28,885,500</b>
<b>RDA Successor Agency</b>							
RDA-16-01 Adell St Utility Project	<i>RDA-16-01</i>	50,000	1,735,000				1,785,000
RDA-16-07 Adelaide Subdivision	<i>RDA-16-07</i>			1,598,478			1,598,478
RDA-17-02 Yosemite Lot Development	<i>RDA-17-02</i>			550,970			550,970
RDA-18-02 Adell St Interconnect, Kennedy & Adell	<i>RDA-18-02</i>					265,000	265,000
<b>RDA Successor Agency Total</b>		<b>50,000</b>	<b>1,735,000</b>	<b>2,149,448</b>		<b>265,000</b>	<b>4,199,448</b>
<b>Transit Program</b>							
TRANS-01 Madera Transit Center	<i>Trans-01</i>	60,000					60,000
Trans-10 AHSC Transit Developments	<i>Trans-10</i>	796,000					796,000
TRANS-11 Transit Center Charging Station Project	<i>TRANS-11</i>		579,785				579,785
TRANS-12 BUS SHELTER RELOCATION	<i>TRANS-12</i>	400,000					400,000
<b>Transit Program Total</b>		<b>1,256,000</b>	<b>579,785</b>				<b>1,835,785</b>
<b>GRAND TOTAL</b>		<b>81,778,095</b>	<b>64,052,895</b>	<b>32,726,233</b>	<b>48,759,778</b>	<b>5,943,676</b>	<b>233,260,677</b>

**ATTACHMENT 2**  
Planning Commission Resolution



**RESOLUTION NO. 1968**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
MADERA FINDING THAT THE PROPOSED 2023/24 TO 2027/28 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) 2023/24 to 2027/28 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

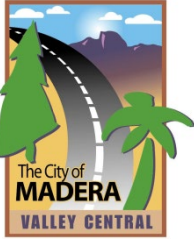
**WHEREAS**, the City Council of the City of Madera has forwarded the FY 2023/24 to 2027/28 Capital Improvement Program to the Planning Commission for determination of conformance with the City General Plan and Specific Plans pursuant to Government Code Section 65401; and

**WHEREAS**, the Planning Commission reviewed the active and proposed projects in the FY 2023/24 to 2027/28 Capital Improvement Program, evaluated all attached supporting documents and considered testimony received as part of the public hearing process at their meeting on September 12, 2023.

**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 2023/24 to 2027/28 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.





## REPORT TO THE PLANNING COMMISSION

**Prepared by:**

Adam Sanchez, Intern Planner

**Meeting of:** September 12, 2023

**Agenda Number:** 2

**SUBJECT**

Variance (VAR 2023-03) and Site Plan Review (SPR 2023-19) for the Madera Police Department Parking Lot Expansion

**RECOMMENDATION**

Conduct a public hearing and:

1. Adopt a Resolution adopting a Finding of Class 32 Categorical Exemption pursuant to California Environmental Quality Act (CEQA) Guidelines 15332 (In-fill Development), and approving Variance (VAR 2023-03) and Site Plan Review (SPR 2023-19) subject to the findings and conditions of approval.

**PROPOSAL**

The applicant, City of Madera, is requesting a variance (VAR 2023-03) and Site Plan Review (SPR 2023-19) approval to establish 42 parking spaces adjacent to the City of Madera Police Department's headquarter building at 330 South C Street. The proposed parking area is a 0.33-acre parcel at 320 South C Street (Assessor's Parcel Number (APN) 007-191-017) northwest and adjacent to the Police Department's headquarter building, herein referenced as the "project site" or "proposed project site." The rectangular-shaped site is located at the southeast corner of South C Street and East 7<sup>th</sup> Street (refer to Attachment 1). The City is requesting a variance to allow for an eight-foot-high chain-link security fence to enclose the parking lot and to extend beyond the front line of the main building (Police Department's headquarter building) the parking lot is intended to serve.

Currently, there are 55 off-street parking spaces available at the Police Department headquarters facility for the public and employees. This poses a challenge to the Police Department as additional employees are now housed at Police Department headquarters facility today in comparison to several years ago. Additional staffing now housed at the facility includes Animal Control, Parking Control, and Code Enforcement. Moreover, additional equipment has been acquired to better serve the community. As a result, additional secured off-street parking is required. The project proposes to correct this parking deficiency by providing 42 additional parking spaces. Of the 42 proposed parking spaces, two spaces are ADA compliant, 11 are compact stalls as permitted pursuant to MMC Section 10-3.1207 requirements, and the remaining are standard parking spaces (refer to Exhibit 1 of Exhibit "A" of Attachment 2).

An overview of the proposed project is provided in Table 1 below.

<b>Table 1: Project Overview</b>	
<i>Project Number:</i>	VAR 2023-03 & SPR 2023-19
<i>Applicant:</i>	City of Madera
<i>Property Owner:</i>	City of Madera
<i>Location:</i>	320 South C Street (APN 007-191-017)
<i>Project Area:</i>	Approximately 0.33 acres or 14,209 square feet
<i>Plan Land Use:</i>	C – Commercial
<i>Zoning District:</i>	C1 – Light Commercial
<i>Site Characteristics</i>	An undeveloped fenced lot with an access gate on South C Street and an alley access gate. The site is paved. A 65-foot-wide, north-south trending Madera Irrigation District easement transects the site. The Police Department utilizes the site for vehicle, trailer, and equipment storage, and for employee parking. The paved site is devoid of on-site vegetation and defined parking spaces. Street frontage is devoid of street trees and landscaping, as well as sidewalk improvements along East 7 <sup>th</sup> Street.

### **SITE CHARACTERISTICS**

With the exception for the asphalt surface and perimeter fencing, the project site, which is designated C (Commercial) and zoned C1 (Light Commercial), is generally an undeveloped parcel on the southeast corner of South C Street and East 7<sup>th</sup> Street. The site is devoid of vegetation. The intersection of South C Street and East 7<sup>th</sup> Street is a “T” intersection. The subject site is bound by East 7<sup>th</sup> Street to the north, northwest, South C Street to the east, northeast, the Police Department headquarter building to the south, southeast, and an alley to the west, southwest. South C Street and East 7<sup>th</sup> Street are unclassified (local) streets. The alley is gated precluding through traffic beyond the project site’s eastern boundary.

Project site frontage street improvements include curb and gutter along both South C Street and East 7<sup>th</sup> Street, and street trees along a portion of South C Street. A 10-foot-wide sidewalk is present along South C Street. No sidewalk improvements have been constructed along the project site perimeter. An Americans with Disabilities Act of 1990 (ADA) curb access ramp has been constructed at the intersection of South C Street and East 7<sup>th</sup> Street. Pole mounted aerial electrical and communication lines are present in the alley, paralleling the westerly limits of the alley corridor.

On-site improvements include a six-foot-high perimeter chain-link fence. The chain-link fence is topped with strands of barbed wire and coiled razor wire. The perimeter fencing along East 7<sup>th</sup> Street and the alley includes brown tone slats. Access to the site is provided by a driveway and a secured chain-link access gate present approximately mid-point along South C Street. An unsecured access gate from the alley is present in the project site’s southwest corner. This gate remains open 24 hours. The gates are sized to support vehicular access. While the asphalt surface site is used for the storage of vehicles, trailers, and equipment, as well as for employee parking, no developed parking space improvements, or defined parking spaces area present.

### **SURROUNDING LAND USES**

The project site is generally bound by developed commercial uses to the north, east, south, and west. The property north, northwest, beyond East 7<sup>th</sup> Street is a County owned parcel, designated C (Commercial) and zoned C1 (Light Commercial), provides employee and visitor parking for the County

Employment Services building located at the northwest corner of South D Street and East 7<sup>th</sup> Street. The developed property to the east, northeast, on the opposite side of South C Street, directly across from the project site is designated Commercial and zoned C1. The commercial building is occupied by Madera Cleaners and Laundry. The City Police Department’s Headquarters building occupies the parcel to the east, northeast. The Police Department Headquarter parcel is designated Commercial and zoned C1. The developed property to the west, southwest, directly across from the alley abutting the rear of the project site is designated C and zoned C2 (Heavy Commercial). The commercial building is occupied by Camarena Health medical offices.

Table 2 below summarizes the existing development/uses, and the City General Plan land use designations and zoning districts surrounding the proposed project 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, Northwest</i>	Madera County Parking Lot	C – Commercial	C1 – Light Commercial
<i>East, Northeast</i>	Madera Cleaners and Laundry	C – Commercial	C1 – Light Commercial
<i>South, Southeast</i>	City of Madera Police Department Headquarters	C – Commercial	C1 – Light Commercial
<i>West, Southwest</i>	Camarena Health	C - Commercial	C2 – Heavy Commercial

**ANALYSIS**

**Site History**

Records pertaining to the site are sparse. Based on Google aerial photographs, the site appears devoid of improvements other than asphalt pavement as early as 1985. The City purchased the project site in 2018 for the purpose of improving the Police Department’s on-site parking conditions. Since the acquisition, the Police Department has been using the project site for storage of vehicles, trailers, and equipment, as well as for employee parking. Prior to the City’s acquisition of the project site, the site had served as the material and equipment storage area during the construction of the adjacent Police Department’s headquarters between 2006 and 2007.

In 2007, the Planning Department received an application for a use permit (CUP 2007-05) to allow for the establishment of a commercial retail / office and used auto dealership. The application was ultimately withdrawn by the applicant. In 2008, the Planning Department received an application for preliminary project review (PPR 2008-02) for a possible recycling center at this site; however, the PPR was withdrawn by the applicant following preliminary unfavorable concerns raised by the Police Department of having such a use located adjacent to the Police Department headquarters.

The proposed project was previously reviewed and subsequently approved under Variance 2022-02 (VAR 2022-02) and Site Plan Review 2022-01 (SPR 2022-01) to develop the site as a secured parking area for the Police Department’s headquarter site. VAR 2022-02 and SPR 2022-01 were brought forth to Planning Commission (Commission) and conditionally approved on April 12, 2022. While the site plan and variance were approved, the approved entitlements expired prior to the issuance of a building permit pursuant to the approved conditions of approval and Sections 10-3.4.0114 and 10-3.1411 of the Madera Municipal Code (MMC).

## **Site Plan Review 2023-19**

Section 10-3.4 of the MMC establishes procedures for the review and approval of site plan reviews. Pursuant to Section 10-3.4.0103 of the MMC, a site plan review is required for all projects subject to a use permit, including a change in use where on-site construction or improvements are proposed or required. Approval of SPR 2023-19 would result in the addition of 42 parking spaces for the employees at the Madera Police Department. This parking lot would be secured by an 8-foot-high slatted chain link fence.

On-site parking space configuration and circulation for the site is subject to City of Madera Standard E-4, which calls for 9 ft by 19 ft parking spaces with a minimum of 26 ft of backing space for 90-degree angle parking, and 9 ft by 19.8 ft parking spaces with a minimum of 14 ft of backing space if traffic is one way for 45-degree angle parking.

Improvements such as parking area massing, arrangement, aesthetics, landscaping, and lighting in commercial zone districts are all subject to the *City's Design and Development Guidelines for Commercial Development*. The Guidelines focus on the aesthetic quality of the project. Consistent with the City's Design and Development Guidelines, parking areas are to be well-defined with curbs and landscaped islands, buffered from the building using concrete walkways and landscaped corridors. Furthermore, the parking areas adjacent to streets are required to provide a continuous landscape screen of least three feet in height.

Parking is subject to the Americans with Disabilities Act of 1990 (ADA). For parking areas where 26 to 50 parking spaces are provided, ADA regulations require 2 parking spaces to be ADA compliant of which 1 must be a van accessible parking space.

In addition to ADA requirements, 10 percent of the parking spaces must comply with the California Green Building Code. Given the project proposes 42 spaces, will need to provide five parking spaces dedicated to serving electric vehicles. The California Green Building Code requires that 1 electric vehicle charging station (EVCS) space be ADA van accessible and 1 space be a standard ADA accessible space. In total, the project will require 4 ADA spaces - 2 ADA van accessible spaces of which 1 must meet EVCS van accessible specifications, plus 2 standard ADA parking spaces of which 1 must meet EVCS specifications. It should be noted that EVCS ADA van accessible parking space dimensions and access aisle requirements differ from federal ADA standards. As a condition of approval, the project will be required to comply with ADA and California Green Building Code specifications.

Consistent with the *City's Design and Development Guidelines for Commercial Development*, the parking area is to be well-defined with curbs and landscaped islands. The perimeter of the parking area adjacent to South C Street and East 7<sup>th</sup> Street Avenue will need to include a continuous landscape screen of least three feet in height. Earthen berms may be used in conjunction with the parking area perimeter landscaping. Parking area shade trees will need to be provided at a ratio of 1 tree per 3 parking spaces to provide 50 percent shade coverage over the parking spaces at high noon with full foliage within 15 years. The ratio of 1 tree per 3 parking spaces excludes required street trees. Street trees are to be planted along the site's South C Street and East 7<sup>th</sup> Street frontages. The project has been conditioned to plant street trees at an interval of 30 ft on center and to be of the same species now present along South C Street and East 7<sup>th</sup> Street. The project is also conditioned to provide parking area lighting for security and safety purposes.

### **Variance 2023-03**

MMC Section 10-3.412, Fences, Walls and Hedges, prohibits any fence, wall, or screen of any kind exceeding six feet in height to be erected between the rear property line of a lot and the front of the main building or along any rear property line. Nor is a fence allowed to exceed three feet in height in any required front or street side yard or within 25 feet of any street corner. Only permanent material such as wood or chain link should be used for fencing and should be maintained, repaired, and replaced as needed.

VAR 2023-03 proposes an 8-foot-high slatted chain-link fence to secure the Police Department parking area consistent with all other designated Police Department parking areas immediate to the Police Department's Headquarters facility. The intent of proposed variance is to secure City equipment as well as the property of City employees. As proposed, the 8-foot-high chain-link fence would align with the project site's existing property line, resulting in the fence to extend beyond the front of the Police Department's Headquarter building the proposed parking area is intended to serve. The fence will not be positioned within 25 feet of the corner of the South C Street and East 7<sup>th</sup> Street intersection.

Issuance of a variance shall be granted by the Planning Commission (Commission) if the applicant provides all required documentation and information outlined in MMC § 10-3.1405. Pursuant to MMC §10-3.1402, the applicant is responsible for demonstrating that the literal and strict application of a specific provision established in the MMC will result in:

“Deprivation of privileges enjoyed by other properties in the vicinity under identical zoning classifications due to special circumstances applicable to the property including size, shape, topography, location, or surroundings.” (Emphasis Added)

The adjacent Police Department Headquarters building and its parking area to the south of the Headquarters building are both currently surrounded by eight-foot-high fences. The zoning of the adjacent parcel for which the headquarters building and parking are located is zoned identical to the zoning of the project site – C1 (Light Commercial). Absent granting the project site a fence height variance would deprive the project same privilege enjoyed by the adjacent similarly zoned property.

### **CONSISTENCY WITH THE GENERAL PLAN**

This new secured parking lot for the police department aligns with all goals and policies outlined in the City of Madera's General Plan. The project provides a high quality and aesthetically pleasing design consistent with the City of Madera General Plan policies. The project, as conditioned, also conforms to the City's Design and Development Guidelines for Commercial Development by including shade trees and having the parking lot landscaped.

### **ENVIRONMENTAL REVIEW**

Staff performed a preliminary environmental assessment and determined that the proposed project is a Class 32 Categorically Exemption under Section 15332 of the California Environmental Quality Act (CEQA) Guidelines (In-fill Development) because the project: a) is consistent with the site's Commercial General Plan and C1 zone district, and the City zoning code provides for variances and if the variance is approved, the proposed fence would be consistent with the City's zoning regulations; b) is less than five acres, surrounded on sides by urban development; c) is paved and absent of vegetation and thus has no value as habitat for endangered, rare or threatened species; d) will not result in any significant effects relating to traffic, noise, air quality, water; and e) is adequately served by all required utilities and public

services. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.

### **RECOMMENDATION**

It is recommended that the Commission consider the information presented in this report, and other information presented or made available, in its determination as to whether approval of the variance and site plan review is appropriate given the required findings of approval. The information presented in this report supports conditional approval of VAR 2023-03 and SPR 2023-19. If the Commissioners feel the appropriate findings cannot be made, they should direct staff to return at a later meeting with findings in support of denial.

### **PLANNING COMMISSION ACTION**

The Commission will be acting on VAR 2023-03 and SPR 2023-19. Staff recommends that the Commission:

1. Move to adopt a Resolution of the Planning Commission adopting a Finding of a Class 32 Categorical Exemption from CEQA pursuant to CEQA Guidelines Section 15332 and approve VAR 2023-03 and SPR 2023-19, 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 a future Planning Commission meeting (Commission to specify date and articulate reason(s) for continuance).
2. Move to deny the request based on specified findings: (Commission to specify and articulate reasons for denial).

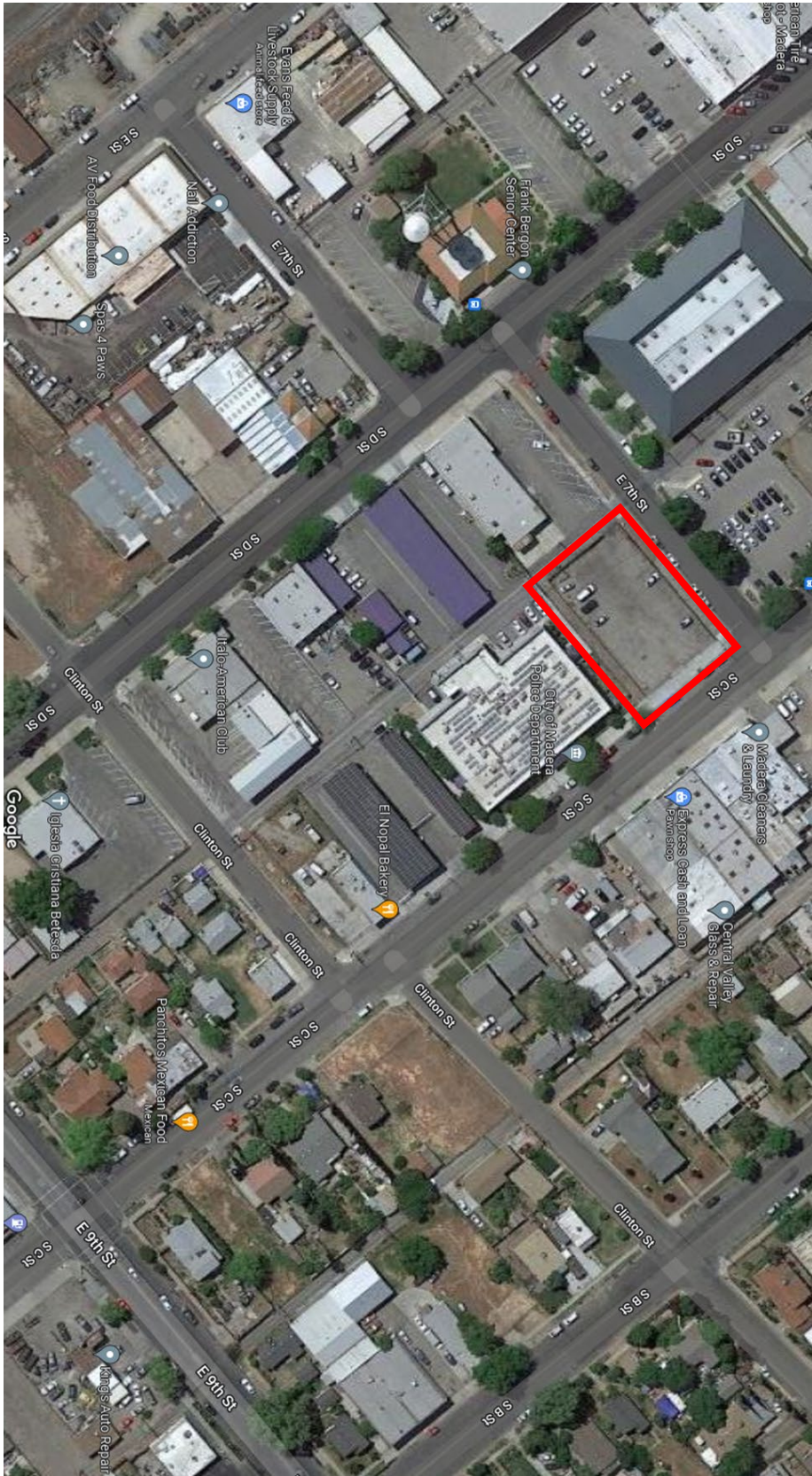
### **ATTACHMENTS:**

1. Aerial Photo
2. Planning Commission Resolution  
Exhibit "A" Conditions of Approval



**ATTACHMENT 1**

Aerial Vicinity Photo



**ATTACHMENT 2**

Planning Commission Resolution

**RESOLUTION NO. 1967**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA ADOPTING A CLASS 32 CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION 15332 (INFILL DEVELOPMENT) AND APPROVING VARIANCE 2023-03 AND SITE PLAN REVIEW 2023-19 (MADERA POLICE DEPARTMENT SECURED EMPLOYEE PARKING AREA)**

**WHEREAS**, the City (owner) owns the property at 320 South C Street in Madera, California (site) is the applicant; and

**WHEREAS**, the site has been used as a parking area for both the City of Madera Police Department's employees and equipment; and

**WHEREAS**, the applicant seeks a fence height variance to allow a perimeter parking fence of eight (8) feet in height in association with the proposal of SPR 2023-19 on the same site; and

**WHEREAS**, the project has been determined to be a Class 32 Categorically Exemption under Section 15332 (In-Fill Development) of the California Environmental Quality Act (CEQA) Guidelines; and

**WHEREAS**, under the City's Municipal Code, the Planning Commission (Commission) is authorized to review and approve variances, site plan reviews, and environmental assessments for associated projects on behalf of the City; and

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

**WHEREAS**, the Commission received and reviewed VAR 2023-03 and SPR 2023-19 at a duly noticed meeting on September 12, 2023; and

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

**WHEREAS**, the Commission now desires to adopt a Class 32 Categorical Exemption for the project, and approve VAR 2023-03 and SPR 2023-19, with conditions.

**NOW THEREFORE, be it resolved by 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 Commission determines that the project is exempt under Section 15332 (Infill Development) of the State CEQA Guidelines because the project: a) is consistent with the site's Commercial General Plan and C1 zone district, and the City zoning code provides for variances and if the variance is approved, the proposed fence would be consistent with the City's zoning regulations; b) is less than five acres, surrounded on sides by urban development; c) is paved and absent of vegetation and thus has no value as habitat for endangered, rare or threatened species; d) will not result in any significant effects relating to traffic, noise, air quality, water; and e) is adequately served by all required utilities and public services. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.
3. Findings to Approve VAR 2023-03: The Commission finds and determines that there is substantial evidence in the administrative record to support the approval of VAR 2023-03, as conditioned. With conditions, the project is consistent with the requirements of the Municipal Code, including Section 10-3.1402. The Commission further approves, accepts as its own,





**EXHIBIT "A"**  
**VAR 2023-23 & SPR 2023-19**  
**(MADERA POLICE DEPARTMENT PARKING LOT EXPANSION)**  
**CONDITIONS OF APPROVAL**  
**September 12, 2023**

**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.

















# SOUTH C STREET

EXISTING	NEW	TOTAL
50	29	78
4	2	6
0	11	10

STD. PUBLIC - EMPLOYEE STALLS  
 ADA PUBLIC - EMPLOYEE STALLS  
 COMPACT PUBLIC - EMPLOYEE STALLS

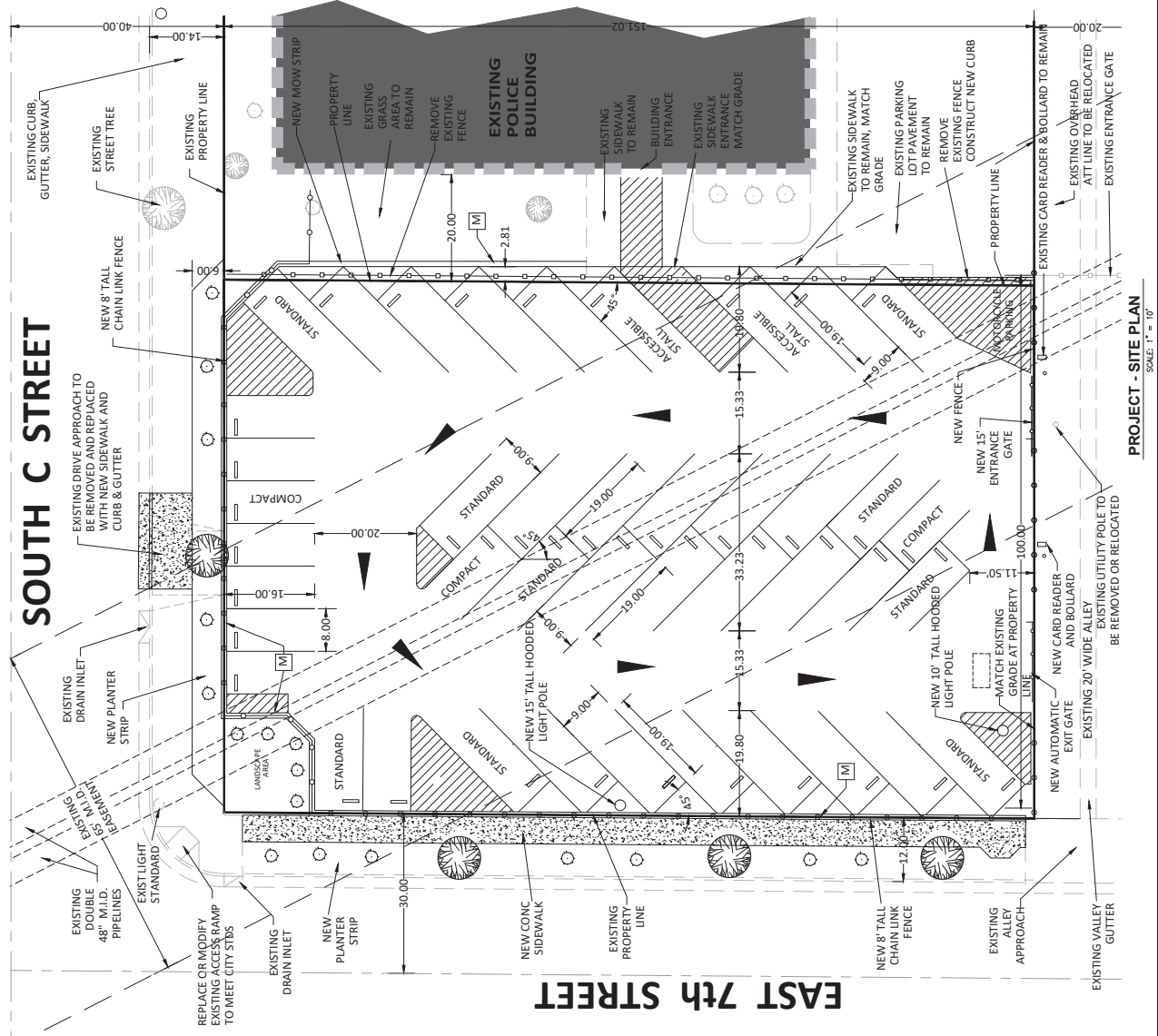
note: ratio of new compact to new overall is .25%

48 HOURS  
 BEFORE EXCAVATING  
 CALL U.S.A. TO FREE  
 800 272 7288  
 UNDERGROUND SERVICE  
 ALERT

NOTED: CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MADERA SPECIFICATIONS FOR CONSTRUCTION OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MADERA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MADERA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MADERA.

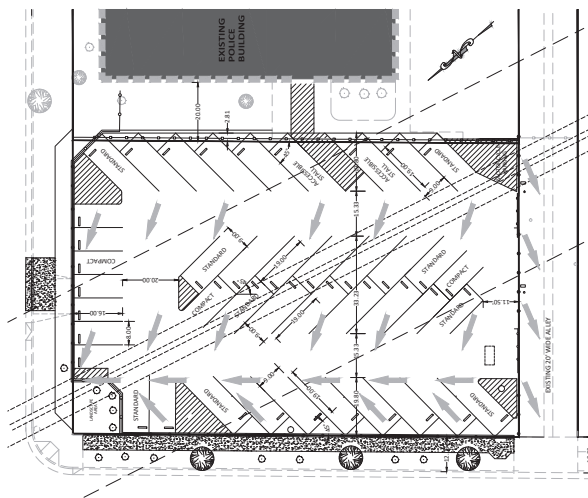
### LEGEND:

- 15 GAL. PISTACIA CHINENSIS (CHINESE PISTACHE)
- 5 GAL. NANDINA DOMESTICA 'MOON BAY' (DWARF HEAVENLY BAMBOO)
- INDICATES PROPOSED 12" CONCRETE MOW STRIP



### PROJECT - SITE PLAN

SCALE: 1" = 10'



### SCHEMATIC GRADING AND DRAINAGE - PLAN

SCALE: 1" = 20'

### SITE NOTES:

- 1.) THERE IS AN EXISTING WATER SPIGOT AND LIGHT POLE THAT WILL BE REMOVED.
- 2.) THE SITE IS CURRENTLY BEING USED FOR P.D. EMPLOYEE PARKING.
- 3.) THE SITE CURRENTLY HAS A 6 FOOT TALL CHAIN-LINK FENCE THAT WILL BE REPLACED.
- 4.) A SITE GRADING AND DRAINAGE PLAN SHALL BE PREPARED BY A REGISTERED CIVIL ENGINEER, LICENSED IN THE STATE OF CALIFORNIA.



STEVEN BETTENKORT DATE

CITY OF MADERA OFFICE OF THE CITY ENGINEER	
APPROVED BY:	CITY ENGINEER DATE
PREPARED BY:	DATE APPROVAL
DESIGNED BY:	DATE APPROVAL
CHECKED BY:	DATE APPROVAL
CONSTRUCTION SUPERVISOR:	DATE APPROVAL
CONTRACTOR:	DATE APPROVAL
PROJECT No.:	CITY POLICE SITE

CITY OF MADERA POLICE DEPARTMENT PARKING LOT RECONFIGURATION AND EXPANSION - CITY PROJECT NO. PD-0001 PROJECT SITE - PLAN

SHEET 5-1 OF 17 SHEETS