

**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



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Planning Commission Chairperson



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Brandi Garcia, Recording Secretary