



## **REGULAR MEETING OF THE MADERA PLANNING COMMISSION**

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

### **NOTICE AND AGENDA**

**Tuesday, October 10, 2023  
6:00 p.m.**

**Council Chambers  
City Hall**

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The Council Chambers will be open to the public. This meeting will also be available for public viewing and participation through Zoom. Members of the public may comment on agenda items at the meeting or remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 89470459527# followed by \*9 on your phone when prompted to signal you would like to speak, or by computer at <https://www.zoom.us/j/89470459527>. Comments will also be accepted via email at [planningcommissionpubliccomment@madera.gov](mailto:planningcommissionpubliccomment@madera.gov) or by regular mail at 205 W. 4th Street, Madera, CA 93637.

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

#### **ROLL CALL:**

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

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

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

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

#### **PUBLIC COMMENT:**

The first 15 minutes of the meeting are reserved for members of the public to address the Commission on items which are within the subject matter jurisdiction of the Commission. Speakers shall be limited to three minutes. Speakers will be asked, but are not required, to identify themselves and state the subject of their comments. If the subject is an item on the Agenda, the Chairperson has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on

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

#### **PUBLIC HEARINGS:**

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

**Subject:** A continued public hearing to consider a conditional use permit and site plan review to allow for the 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. The site access will be via one driveway on the east side 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 November 14, 2023, Planning Commission meeting.

##### **2. CUP 2023-07 & SPR 2023-23 – Walmart Seasonal Storage Trailers**

**Subject:** A noticed public hearing to consider a conditional use permit and site plan review to allow for the yearly placement of outdoor storage containers for the holiday season at the Walmart located approximately 1,000 feet east of the intersection of Schnoor Avenue and West Cleveland Avenue (1977 W. Cleveland Ave.) in the C1 (Light Commercial) Zone District with a C (Commercial General Plan land use designation. APN: 013-160-014

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines, Section 15304(e) Minor Alterations to Land.

#### **Recommendation:**

Staff is requesting this item be continued to a date uncertain.

##### **3. CUP 2004-25 MOD & SPR 2023-16 – STAR Center (Report by Will Tackett)**

**Subject:** A noticed public hearing to consider a modification to the existing conditional use permit to allow pediatric day healthcare in addition to the existing adult day healthcare services. The site is located at 109 E. Central Avenue in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation.

The project is determined to be categorically exempt from CEQA, California Environmental Quality Act, Guidelines, Section 15301, Existing Facilities.

**Recommendation:**

Conduct the public hearing and adopt:

- a. Adopt a Resolution CUP 2004-25 MOD and Site plan Review 2023-16 allowing the addition of pediatric day healthcare in conjunction with the adult day healthcare use at 109 E. Central Avenue.

**4. TSM 2022-03 & TSM 2022-04 – Ventana Subdivisions (Report by Robert Smith)**

**Subject:** A noticed public hearing to consider two Tentative Subdivision Maps. TSM 2022-03 will subdivide approximately 237.5 acres into 999 lots for the development of 855 single-family residences, 144 multi-family residential units, 3 park sites and a drainage basin consistent with the adopted 237.5-acre Ventana Specific Plan. The 237.5-acre site is bound by Pecan Avenue to the north, Road 28 ¼ to the east, Hazel Avenue to the south and an existing subdivision and Parkwood Elementary School to the west. TSM 2022-04 proposes to subdivide the 237.5-acre Ventana Specific Plan Area into 19 parcels.

The project site is zoned PD-3000 (one unit for every 3,000 sq. ft. of site area), PD-4500 (one unit for every 4,500 sq. ft. of site area), PD-6000 (one unit for every 6,000 sq. ft. of site area), CN (Neighborhood Commercial) and PF (Public Facilities) Zone Districts with an MD (Medium Density) General Plan land use designation. APN's: 012-490-002, 004, 005 & 006.

An Environmental Impact Report (EIR) was previously prepared and certified for the Specific Plan, in March 2007. Pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent Environmental Impact Report, Negative Declaration or addendum is required for approval of the project.

**Recommendation:**

Conduct the public hearing and adopt:

- a. Adopt a Resolution adopting Tentative Subdivision Map 2022-03 and Tentative Subdivision Map 2022-04 for the Ventana Subdivisions.

**ADMINISTRATIVE REPORTS:**

**COMMISSIONER REPORTS:**

**ADJOURNMENT:**

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- The meeting room is accessible to the physically disabled. Requests for accommodations for persons with disabilities such as signing services, assistive listening devices, or alternative format agendas and reports needed to assist participation in this public meeting may be made by calling the Planning Department's Office at (559) 661-5430 or emailing [planninginfo@madera.gov](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.

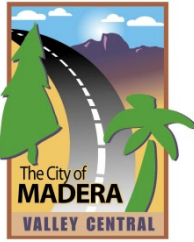
If you have any questions or comments regarding this hearing notice, you may call the Planning Department at (559) 661-5430. Si usted tiene preguntas, comentarios o necesita ayuda con interpretación, favor de llamar el Departamento de Planeamiento por lo menos 72 horas antes de esta junta (559) 661-5430.

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

Staff is requesting this item be continued to the November  
14, 2023 Planning Commission Meeting.

**CUP 2023-07 & SPR 2023-23**  
**Walmart Seasonal Storage Trailers**

Staff is requesting this item be continued to a date uncertain.



## REPORT TO THE PLANNING COMMISSION

**Prepared by:**

Will Tackett, Community Development Director

**Meeting of:** October 10, 2023

**Agenda Number:** 3

**SUBJECT:**

Conditional Use Permit (CUP) 2004-25 MOD – STAR Center Day and Health Care Facility

**RECOMMENDATION:**

Conduct a public hearing and adopt:

1. A Resolution adopting a Class 1 Categorical Exemption pursuant to Section 15301/Existing Facilities of the California Environmental Quality Act (CEQA), and approving CUP 2004-25 MOD for the STAR Center Day and Health Care Facility.

**PROPOSAL:**

Conditional Use Permit CUP 2004-25 MOD has been filed requesting authorization to operate a State-licensed pediatric Day and Health Care Facility within the existing STAR (Social Training Art Recreation) Center located at 109 East Central Avenue.

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

Table 1: Project Overview	
<i>Project Number:</i>	CUP 2004-25 MOD
<i>Applicant:</i>	Krest Holdings, LLC
<i>Property Owner:</i>	Pipes Properties, LLC
<i>Location:</i>	North side of East Central Avenue between North E and North D Streets
<i>Project Area:</i>	Existing Building: ±7,500 sq. ft. / Subject Property: ±1.77 acres.
<i>Planned Land Use:</i>	C (Commercial)
<i>Zoning District:</i>	C1 (Light Commercial)
<i>Site Characteristics</i>	The subject property is an existing developed site being utilized for purposes of an Adult Day and Health Care Facility (STAR Center), and an adjacent Auto Body Repair and Paint Shop (Madera Glass & Body Shop, Inc.)

**SUMMARY:**

The subject property comprises approximately 1.77 acres of land located on the north side of East Central Avenue between North E and North D Streets at 109 East Central Avenue (Assessor's Parcel Number [APN]: 007-012-013) (see Attachment 1). The site is zoned C1 (Light Commercial) and is designated C (Commercial) within the City's General Plan (see Attachment 2).

On December 14, 2004, the City of Madera Planning Commission (Commission) approved Conditional Use Permit 2004-25 to allow the establishment of an Adult Day and Health Care Facility (STAR Center) within an approximately 7,500 square-foot building located on the subject property.

The existing STAR Center is a State-licensed facility currently providing site-based program services to adult (ages 22 and older) individuals with developmental disabilities and skilled nursing needs during daytime hours. Approved operations included service capacity for up to 30 adults Monday through Friday from 9:00 a.m. to 3:00 p.m.; and, up to eight employees working from 8:00 a.m. to 5:00 p.m. Program participants are dropped off and picked up by facility vans or Dial-A-Ride. Program activities include but are not limited to: arts and crafts (& similar activities); range-of-motion, physical therapy, dancing and other movement or stretching exercises; television, reading, current events, and various table/card games; health & self-care skills assistance; and, sensory stimulation activities including touch, taste and sounds (music).

The proposed modification to CUP 2004-25 (CUP 2004-25 MOD) requests authorization for the STAR Center to incorporate a pediatric program providing similar services including therapeutic, social, day care activities, and medical services to children and young adult (ages 3-22) individuals with developmental disabilities and skilled nursing needs who will come to the facility before, during, or after school hours within its operations. Proposed modifications to operations include what is considered to be a negligible expansion of operational hours to 7:00 a.m. to 7:00 p.m. Monday through Friday. No additional employees are proposed. The existing STAR Center building is proposed to be utilized and shared between the adult and pediatric programs with six rooms devoted to the pediatric program services and activities.

State licensing is afforded through the State of California Departments of Social Services and Public Health and Community Care Licensing.

CUP 2004-25 included conditions of approval pertaining to the improvement of the property and structures as well as adjacent public rights-of-way in accordance with local regulations, standards and policies (see Attachment 4). No changes or improvements are proposed to be made to either the site, existing building (interior or exterior) or adjacent public rights-of-way in conjunction with the application for modification to CUP 2004-25. Operational conditions of approval were not included within the original CUP conditions of approval adopted by the Commission. As no modifications are proposed which require Site Plan Review and as operations are subject to and fall under the jurisdiction of respective State licensing authorities, recommended conditions of approval for the proposed modification to CUP 2004-25 will be primarily limited to those operational conditions which are consistent with contemporary standards and/or which are intended to help ensure operations continue to not conflict with other business operations and interests occurring on the subject property; and, that the maintenance of the subject property and operations occurring thereon will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the city.

## **ANALYSIS:**

### Compatibility with Surrounding Uses

The project site is bordered to the north by the Fresno River. Immediate and abutting properties to the east are developed with single family residences but are planned for commercial land uses. The project site fronts East Central Avenue on the south; a parcel planned for commercial and zoned C-2 (Heavy Commercial) remains vacant on the opposite side of Central Ave. The Union Pacific (UP) railroad tracks

are located to the immediate west of the project site. Madera Glass & Body Shop, Inc. occupies a large commercial/industrial building located on the westerly portion of the project site. An aerial Vicinity Map and Planned Land Uses & Zoning surrounding the site are shown on Attachments 1 & 2.

Discussion relative to the appropriateness of the site for a day and health care facility use was included within the Staff Comments section of the report to the Planning Commission delivered for consideration with the original CUP 2004-25. The Conditions of Approval for CUP 2004-25, as adopted by the Commission (see Attachment 4), included the following finding:

- “The proposed use is compatible with the neighborhood and is not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or the City.”

Surrounding circumstances have not changed since this finding was made by the Commission in 2004. As proposed, approval of CUP 2004-25 MOD will result in negligible expansion of use to the existing STAR Center Day and health care facility and operations. The on-site program activities identified in the operational statement and application package will be conducted indoors. The proposed use has been in operation for nearly 20 years at the project site, coexisting with adjacent commercial business operations and residential uses and serving the local community. Compliance with the project conditions of approval will ensure the use will remain compatible with surrounding properties.

Table 2 below summarizes the existing development/uses, the General Plan land use designations, and zoning districts surrounding the project site.

<b>Table 2: Bordering Site Information</b>			
<i>Direction</i>	<i>Existing Use</i>	<i>General Plan Designation</i>	<i>Zone District</i>
<i>North</i>	Fresno River	Resource Conservation	RCO
<i>East</i>	Residential, Single Family	Commercial	C1
<i>South</i>	Vacant	Commercial	C2
<i>West</i>	On-Site: Auto Body & Paint Shop Off-Site: UP Railroad / Vacant	Commercial	C2 (Off-site)
RCO – Resource Conservation & Open Space C1 – Light Commercial C2 – Heavy Commercial			

### Circulation and Parking

No improvements, changes or alterations are proposed to the off-street parking area or vehicular/pedestrian circulation areas. Pursuant to MMC Section 10-3.1202, Day Care centers require one off-street parking space for each employee. CUP 2004-25 was originally approved based upon a total of 8 employees. The Operational Statement included with the application indicates current and future operations are projected to require a total of 5 employees. In total, the existing project site and previously

approved site plan provide a total of 12 off-street parking spaces, which is more than adequate to meet the minimum requirements of the Zoning Regulations.

The project has been conditioned with a requirement that the applicant/operator revise the Operational Statement for the proposed project to include a drop-off and pick-up management plan for participants in the pediatric program and submit the revised Operational Statement to the Planning Department for final review and approval. The management plan should, at minimum, address vehicle circulation and congestion management in a manner which is safe, efficient, and minimizes circulation impacts to adjacent business operations on the subject property or adjacent properties or streets. Strategies such as staggering drop-off and pick-up times, utilization of organized transit services, and/or developing other methods for organizing, directing and/or educating parents/guardians of participants in the pediatric program regarding drop-off and pick-up procedures and best-practices are all encouraged.

#### **ENVIRONMENTAL REVIEW:**

Staff have performed a preliminary environmental assessment and have determined that the project is Categorically Exempt pursuant to Section 15301/Class 1 of the State CEQA Guidelines pertaining to existing facilities.

Class 1 Categorical Exemptions from the provisions of CEQA pertain to Existing Facilities projects consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use.

The existing State-licensed STAR Center adult day & health care facility already provides site-based program services which include therapeutic, social, day care activities, and medical services and assistance to individuals with developmental disabilities and skilled nursing needs during daytime hours. Approved operations included service capacity for up to 30 individuals (adults) Monday through Friday from 9:00 a.m. to 3:00 p.m.; and, up to eight employees working from 8:00 a.m. to 5:00 p.m. Program participants are dropped off and picked up by facility vans or Dial-A-Ride.

Proposed modifications to operations include what is considered to be a negligible expansion of operational hours to 7:00 a.m. to 7:00 p.m. Monday through Friday (i.e., one-hour earlier a.m. and two hours later p.m.). These hours fall within normal business hours for commercial planned areas and should not negatively impact adjacent business. As the parking area serving the use is located on the west side of the existing building and all activities will occur indoors, the expanded operational hours will not have an impact on the sensitive residential uses to the east; additional or otherwise with consideration to CEQA criteria. The service capacity for the number of individuals participating in the program on a daily basis will remain the same. Fewer employees are proposed (or expected to be needed for future operations). The existing STAR Center building is proposed to be utilized and shared between the adult and pediatric programs with six rooms devoted to the pediatric program services and activities. No new development or on- or off-site improvements are proposed.

Therefore, staff finds the proposed modification to CUP 2004-25 will involve a negligible expansion of use, which is the key consideration described under the Class 1 Categorical Exemption.

None of the exceptions included under Section 15300.2 of the CEQA Guidelines are applicable to this project.

**COMMISSION ACTION:**

The Commission will be acting on CUP 2004-25 MOD. Staff recommends that the Commission:

1. Move to adopt a Resolution adopting a Class 1 Categorical Exemption pursuant to Section 15301/Existing Facilities of the California Environmental Quality Act (CEQA), and approving CUP 2004-25 MOD for the STAR Center Day and Health Care Facility.

**ALTERNATIVES:**

As an alternative, the Commission may elect to:

1. Move to continue the public hearing to the November 14, 2023, Planning Commission meeting (or refer the item back to staff) with direction.
2. Move to deny the request based on specified findings: (Planning Commission to articulate reasons for denial).

**ATTACHMENTS:**

1. Aerial Map
2. General Plan Land Use & Zoning Map
3. Original Site & Existing/Proposed Floor Plans
4. Conditions of Approval for CUP 2004-25 dated December 14, 2004.
5. Planning Commission Resolution (Class 1 Categorical Exemption, CUP 2004-25)  
"Exhibit A" Conditions of Approval for CUP 2004-25 MOD



ATTACHMENT 1  
Aerial Map



# Attachment 1

Aerial Map



Project Site

(E) STAR Center

E Central Ave

E Central Ave

E Central Ave

E Central Ave

NE St

ND St

E 1st St

N Gateway Dr

Roberts Ave

Google Earth

Image © 2023 Airbus

400 ft





**ATTACHMENT 2**  
**General Plan Land Use and Zoning Map**

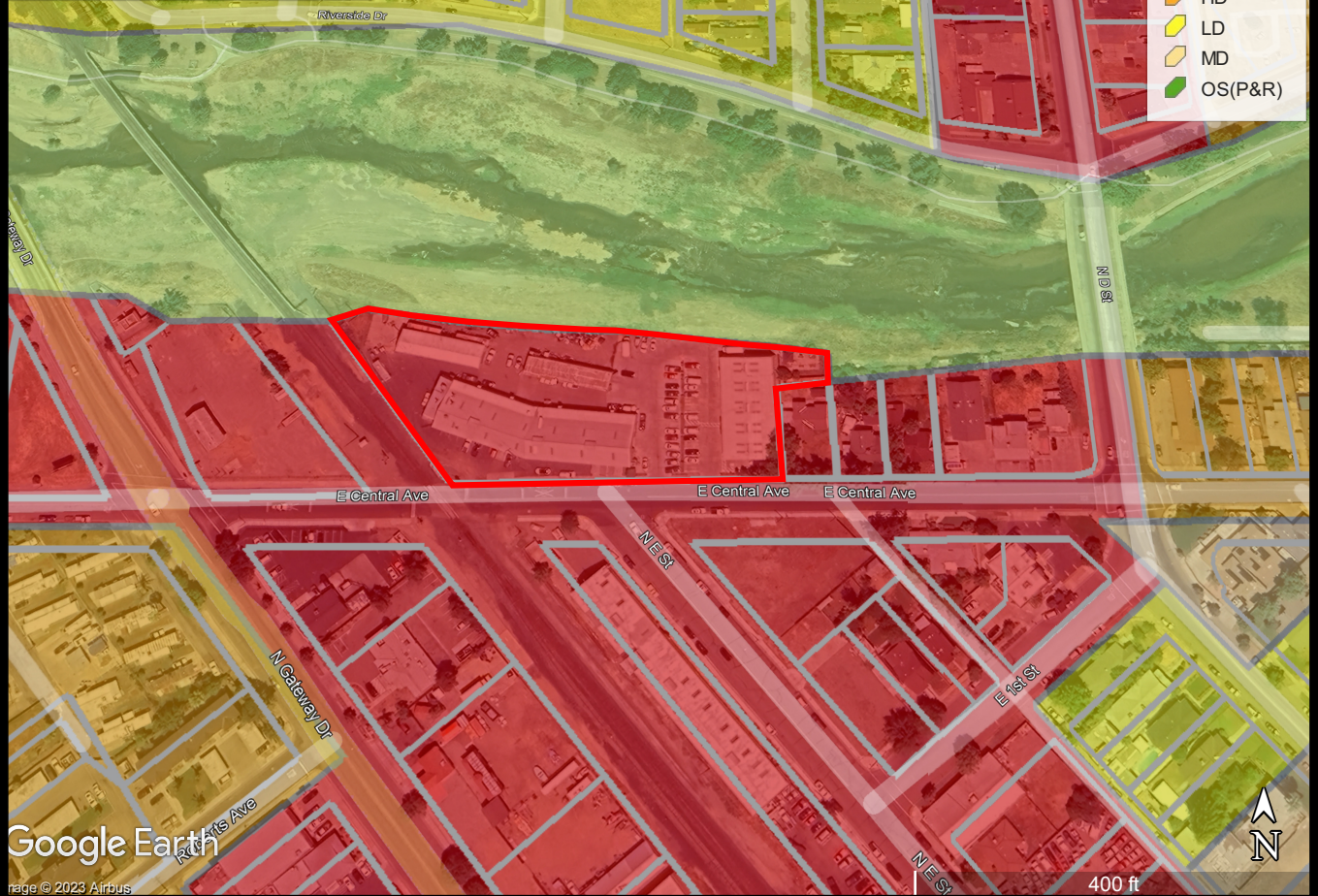


## Attachment 2

General Plan Land Use Map

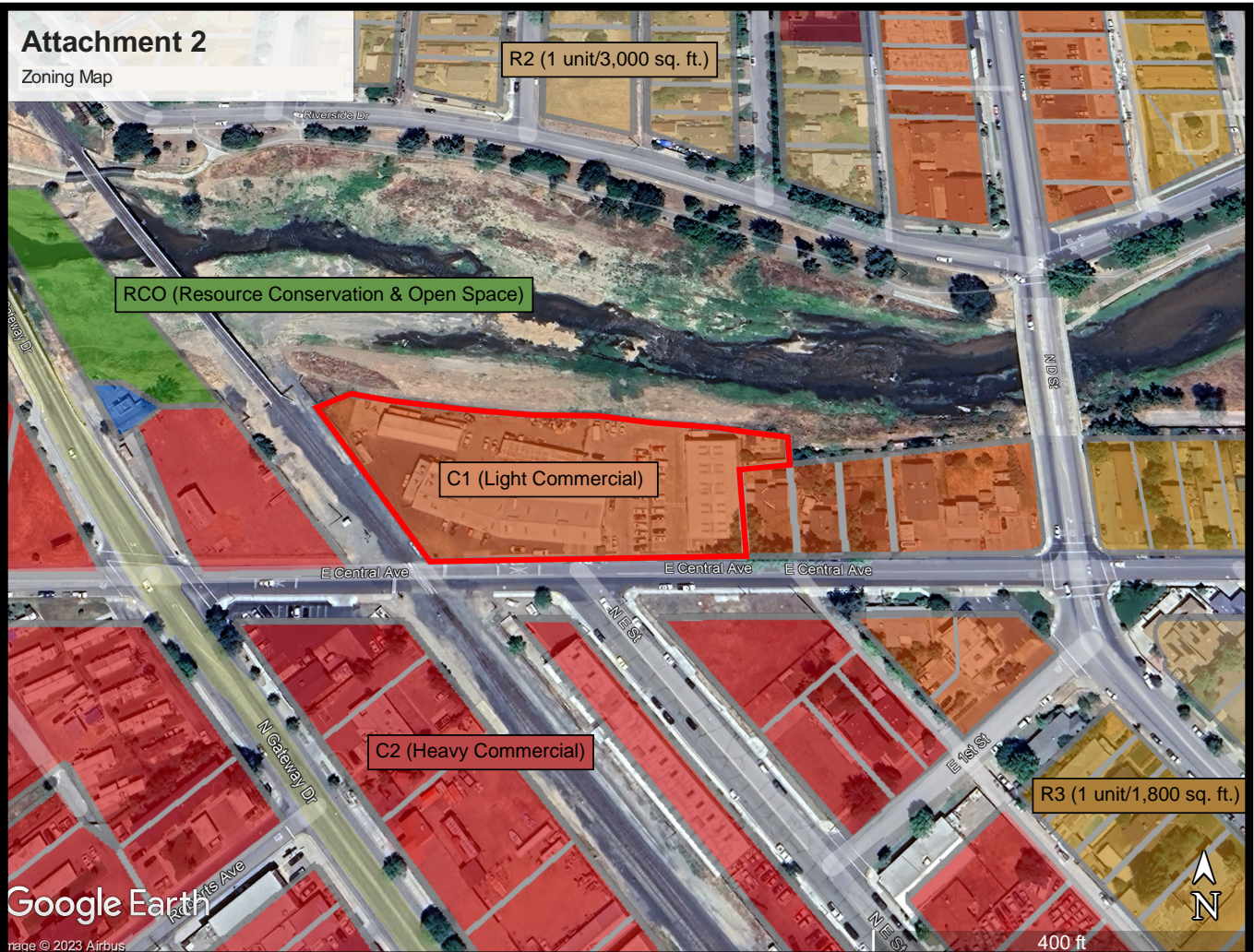
GP Land Use

- C
- HD
- LD
- MD
- OS(P&R)



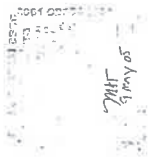
## Attachment 2

Zoning Map





**ATTACHMENT 3**  
Original Site & Existing and Proposed Floor Plans



50 km/h  
- 111



## STAR CENTER

Job address:	
Customer's Postal Number	09761
Customer's type of Connection	258-100-101
Company Group	P / S / A
Company Name	101E, Canal Ave., Malden, CA 02148
Primary telephone number	508-258-1001
Secondary telephone number	508-258-1002
Fax number	508-258-1003
Bulldozing name:	Oscar
Builder's address:	508 South D Street, Malden, CA 02148
Builder's telephone number	555-363-1150
Architect's name:	Robertson, Alan Walter, bry hams
Architect's address:	6790 N. Vista Ave., Suite 111, Fresno, CA
Architect's phone number:	559-276-0900
Architect's Fax Number:	559-276-1150

PROJECT DATA:	
OCCUPANCY	R-3
OCCUPANCY LOAD	104
TYPE OF CONSTRUCTION	2ND FLOOR REMODEL
ALLOWABLE BUILDING AREA	8,000 SQFT.
AREA OF PROPOSAL	8,100 SQFT.

# THE ZALVOO

### GENERAL NOTE

Real persons (names and details) should be substituted prior to publication in a purely confidential way, with accompanying references, removed and suit reworded.

**Abstract**

The outer structure of the building is clad in 316 stainless steel with metal cladding. All steelwork is made to the standards of the American Institute of Steel Construction, Inc. (AISC). The building is designed to meet the requirements of the International Building Code (IBC) and the National Fire Protection Association (NFPA) standards. The building is designed to meet the requirements of the International Building Code (IBC) and the National Fire Protection Association (NFPA) standards. The building is designed to meet the requirements of the International Building Code (IBC) and the National Fire Protection Association (NFPA) standards.

The dimension is provided for the project.

Additional sources are located on individual plans.

NO SPECIAL INSPECTIONS REQUIRED  
ENTER CIRCLES

the subject of the study.

Water Loss  
Control, Inc.[illegible]

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## ATTACHMENT 4

Conditions of Approval for CUP 2004-25 dated December 14, 2004

## CITY OF MADERA, CALIFORNIA

### STAR CENTER ADULT DAYCARE

#### USE PERMIT No. X-04-25

The City of Madera Planning Commission, at its regular meeting of December 14, 2004 approved the Star Center Adult Daycare Use Permit #X-04-25 in favor of the property located at 109 East Central Avenue in the C-1, Light Commercial Zone to allow establishment of an adult daycare facility occupying 3,500 square feet of an existing 7,500 square foot building, employing eight staff members and operating Monday thru Friday from 9:00 a.m. to 3:00 p.m. with a capacity for 30 adults. This Use Permit will be effective on December 29, 2004 subject to the following findings and conditions of approval:

#### FINDINGS:

- THE USE MAY BE ALLOWED IN THE C-1, LIGHT COMMERCIAL ZONE THROUGH APPROVAL OF A USE PERMIT.
- THE PROPOSED USE IS COMPATIBLE WITH THE NEIGHBORHOOD AND IS NOT EXPECTED TO BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, COMFORT OR GENERAL WELFARE OF THE NEIGHBORHOOD OR THE CITY.
- THE USE IS EXPECTED TO GENERATE MORE TRAFFIC AND IMPROVEMENTS REASONABLY RELATED TO THE EXPANSION OF THE PREVIOUS BUSINESS OPERATION MAY BE IMPOSED.
- THE REQUEST FOR EXPANSION OF THE PREVIOUS BUSINESS OPERATION IS A BASIS FOR REQUIRING THE PROPOSED LAND USE TO REASONABLY COMPLY WITH CURRENT CODES AND BE OBLIGATED TO IMPROVE THE GENERAL APPEARANCE OF THE PROPERTY.
- THE REQUEST FOR EXPANSION OF THE PREVIOUS BUSINESS OPERATION WHICH WILL RESULT IN INCREASED TRAFFIC IS A BASIS FOR REQUIRING ON-SITE IMPROVEMENTS SUCH AS LANDSCAPING AND PARKING LOT RESURFACING.

#### CONDITIONS:

1. PROJECT APPROVAL IS CONDITIONED UPON ACCEPTANCE OF THE CONDITIONS OF APPROVAL CONTAINED HEREIN WITHIN THIRTY (30) DAYS, AS EVIDENCED BY THE APPLICANT'S DATED SIGNATURE ON THE REQUIRED ACKNOWLEDGMENT.
2. IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER AND MANAGEMENT TO ENSURE THAT ANY REQUIRED PERMITS, INSPECTIONS, AND APPROVALS FROM ANY REGULATORY AGENCY SHALL BE OBTAINED FROM THE CONCERNED AGENCY PRIOR TO ESTABLISHMENT OF THE USE.

#### BUILDING DIVISION:

3. PRIOR TO THE ISSUANCE OF A BUSINESS LICENSE OR ANY BUILDING PERMITS, OR ESTABLISHMENT OF THE USE, THE APPLICANT SHALL OBTAIN AN INSPECTION PERMIT FROM THE BUILDING DIVISION TO INSPECT THE EXISTING STRUCTURES TO BE OCCUPIED BY THE PROPOSED USE. THE INSPECTION WILL COVER DISABLED ACCESS, AND EXISTING CONDITIONS, I.E., STRUCTURAL, ELECTRICAL, MECHANICAL AND PLUMBING. COST OF INSPECTION \$100.00. ALL REQUIREMENTS AND RECOMMENDATIONS OF BOTH INSPECTIONS SHALL BE MET PRIOR TO OCCUPANCY.
4. BASED ON THE RESULTS OF THE SITE AND BUILDING INSPECTION ANY ITEM NOT IN CONFORMANCE WITH CURRENT CODES AND ORDINANCES MUST BE CORRECTED. ADDITIONAL ITEMS IDENTIFIED AS INVOLVING UNDOCUMENTED CONSTRUCTION MAY ALSO REQUIRE ATTENTION.
5. ANY RECONSTRUCTION OR REMODELING IS TO BE IN ACCORDANCE WITH THE CURRENT BUILDING CODES AS ADOPTED BY THE CITY OF MADERA AND INCORPORATED IN TITLE IX OF THE MADERA MUNICIPAL CODE, ALONG WITH STATE AND FEDERAL LAWS AND LOCAL RESOLUTIONS AND ORDINANCES. ANY NEW CONSTRUCTION SHALL COMPLY WITH A.D.A. AND CALIFORNIA TITLE 24 ACCESS REQUIREMENTS INCLUDING PARKING AND RESTROOMS. PLANS FOR ANY TENANT IMPROVEMENTS SHALL BE PREPARED BY OR UNDER THE DIRECT SUPERVISION OF A LICENSED ARCHITECT OR ENGINEER.
6. DEPENDING ON THE RESULTS OF THE INSPECTION, PROVIDE A MINIMUM OF FOUR SETS OF THE FOLLOWING PLANS TO THE BUILDING DIVISION FOR THE INITIAL PLAN CHECK. PLANS SHALL BE PREPARED BY AN INDIVIDUAL LICENSED TO PRACTICE ARCHITECTURE, INCLUDES THE FOLLOWING REQUIRED DRAWINGS DRAWN TO AN APPROPRIATE SCALE: A. SITE PLAN INCORPORATING ALL SITE RELATED CONDITIONS, B. FLOOR PLAN, C. ALL EXTERIOR ELEVATIONS, D. SITE UTILITIES PLAN - SHOWING ON-SITE SANITARY SEWER, WATER, STORM SEWER, WATER METERS, BACK FLOW PREVENTION DEVICES, ROOF DRAINS, ETC., AND THE CONNECTIONS TO OFF-SITE UTILITIES.
7. DEPENDING ON THE RESULTS OF THE INSPECTION, PROVIDE A MINIMUM OF TWO SETS OF THE FOLLOWING PLANS TO THE BUILDING DIVISION FOR THE INITIAL PLAN CHECK. A COMPLETE SET OF PLANS INCLUDING THE FOLLOWING REQUIRED DRAWINGS DRAWN TO AN APPROPRIATE SCALE: A. SITE PLAN INCORPORATING ALL SITE RELATED CONDITIONS, B. FLOOR PLAN - DIMENSIONED, C. SITE UTILITIES PLAN - SHOWING ON-SITE SANITARY SEWER, WATER, STORM SEWER, WATER METERS, BACK FLOW PREVENTION DEVICES, ROOF DRAINS, ETC., AND THE CONNECTIONS TO OFF-SITE UTILITIES, D. ALL EXTERIOR ELEVATIONS, E. ENGINEERING PLANS AND CALCULATIONS - IF STRUCTURAL ALTERATIONS ARE TO BE MADE F. ELECTRICAL PLAN, G. PLUMBING PLAN, H. MECHANICAL PLAN, I. DISABLED ACCESS COMPLIANCE DRAWINGS.

8. THE USE OF ROOMS ON ALL FLOOR LEVELS SHALL BE IDENTIFIED ON PLANS SUBMITTED FOR BUILDING PERMITS. ADDITIONAL ITEMS IDENTIFIED AS NOT COMPLYING WITH CURRENT CODES AND ORDINANCES, WHICH REQUIRES CORRECTION OR ATTENTION MAY BE IDENTIFIED AFTER REVIEWS INVOLVING UNDOCUMENTED CONSTRUCTION ARE COMPLETED. ANY ITEM NOT IN CONFORMANCE WITH CURRENT CODES AND ORDINANCES WILL BE REQUIRED TO BE CORRECTED.
9. IF THE HVAC UNITS PROVIDE MORE THAN 2,000 CFM OF FLOW THEN THE UNITS WILL REQUIRE SMOKE DETECTOR ACTIVATED AUTOMATIC SHUT-OFF DEVICES THAT ARE INTERCONNECTED TO THE BUILDING'S FIRE ALARM SYSTEM.
10. ALL OPENINGS INTO THE FIRE RATED CORRIDOR MUST BE PROPERLY FIRE RATED, INCLUDING DOORS, AIR VENTS, AND PIPE PENETRATIONS, ETC.
11. THE INTERIOR OF THE SITE MUST HAVE ADEQUATE LIGHTING FOR OPERATIONS AFTER DARK. LIGHTING PROVISIONS SHALL BE INCLUDED WITH THE CONSTRUCTION PLANS INCLUDING THE DESIGN AND STYLE OF FIXTURES TO BE UTILIZED.
12. COMPLIANCE WITH REGIONAL AIR POLLUTION CONTROL DISTRICT REGULATIONS AND PERMITTING REQUIREMENTS IS REQUIRED IN REGARD TO ANY RECONSTRUCTION WORK AND ESTABLISHMENT OF THE DAY CARE CENTER. CLEARANCES AND PERMITS SHALL BE PROVIDED TO THE BUILDING DIVISION PRIOR TO ISSUANCE OF ANY CITY BUILDING PERMITS.

ENGINEERING DIVISION:

13. IF NOT ALREADY COMPLETE, THE SITE PLAN AND GRADING / DRAINAGE PLAN TRACINGS SHALL BE SUBMITTED TO ENGINEERING DEPARTMENT AFTER ALL CORRECTIONS MADE. IMPROVEMENT PLANS SHALL INCLUDE SITE PLAN, GRADING PLAN, DRAINAGE PLAN, STREET IMPROVEMENT PLAN, SIGNING AND STRIPING TRAFFIC CONTROL PLAN, AND WATER AND SEWER SERVICE PLAN. TRACINGS SHALL BE SUBMITTED AS RECORD DRAWINGS.
14. EXISTING PROPERTY CORNERS SHALL BE LOCATED AND NOTED ON SITE PLAN. NEW PROPERTY CORNERS SHALL REQUIRE RECORD OF SURVEY PRIOR TO ANY SITE CONSTRUCTION OR ISSUANCE OF BUILDING PERMIT.
15. IF NOT ALREADY COMPLETE, CURB, GUTTER, DRIVEWAY APPROACHES, AND SIDEWALK SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY STANDARDS ALONG THE STREET FRONTAGE OF THE SUBJECT PROPERTY IN ACCORDANCE WITH PLANS APPROVED BY THE CITY ENGINEER. THE DRIVEWAY APPROACH WILL ALSO HAVE TO BE UPGRADED TO CITY STANDARDS IN ACCORDANCE WITH PLANS APPROVED BY THE CITY ENGINEER. THE CENTRAL AVENUE IMPROVEMENTS FOR MADERA GLASS AND BODY SHOP SHALL BECOME A PART OF THIS PROJECT'S APPROVAL PROCESS.
16. ALL DRIVEWAYS, SIDEWALKS, AND STREETLIGHTS SHALL CONFORM TO CITY STANDARDS IN REGARD TO SETBACKS FROM ADJACENT PROPERTY LINES. STREETLIGHTS SHALL BE INSTALLED TO CITY STANDARD. WATTAGE ON INTERIOR STREETS WILL REQUIRE 100 WATTS AND 150 WATTS ON ADJACENT COLLECTOR STREETS. AT THE DEVELOPER'S REQUEST, STREET LIGHTS MAY BE INSPECTED FOR COMPLIANCE WITH THE IMPROVEMENT PLANS AND CITY STANDARDS, AND UPON APPROVAL, MAY BE ENERGIZED WITH PAYMENT OF THE ENERGIZING FEE BY THE SUBDIVIDER.
17. TRAFFIC VEHICULAR SAFETY SIGNING AT POINTS OF INGRESS AND EGRESS SHALL BE REVIEWED AND APPROVED BY THE CITY ENGINEER PRIOR TO ISSUANCE OF ANY BUILDING PERMITS. ONSITE TRAFFIC CONTROL EGRESS AND INGRESS SIGNING AND STRIPING AS REQUIRED SHALL BE INSTALLED IN ACCORDANCE WITH SITE PLAN PRIOR TO TEMPORARY OR FINAL OCCUPANCY. ANY DAMAGED OR OFF-GRADE CURB, GUTTER OR SIDEWALK FRONTING THE SITE SHALL BE REPAIRED AS REQUIRED BY THE CITY ENGINEER PRIOR TO FINAL INSPECTION OR ESTABLISHMENT OF THE USE.
18. ENCROACHMENT PERMIT SHALL BE OBTAINED FROM CITY ENGINEERING DIVISION PRIOR TO ANY WORK WITHIN RIGHT-OF-WAY. COORDINATION WITH THE UNION PACIFIC RAILROAD MAY BE NECESSARY REGARDING IMPROVEMENTS LOCATED ADJACENT TO THEIR RIGHT-OF-WAY.
19. DURING CONSTRUCTION, THE STREET ADJACENT TO THE SITE SHALL BE SWEEPED AT LEAST ONCE A DAY, OR AS REQUIRED BY THE BUILDING INSPECTOR TO REMOVE SILT, WHICH MAY HAVE ACCUMULATED FROM CONSTRUCTION ACTIVITIES.
20. IF NOT ALREADY IN PLACE THE EXISTING WATER SERVICES SHALL REQUIRE WATER METER AND BACK FLOW PREVENTER INSTALLATION. BACK FLOW CERTIFICATION SHALL BE REQUIRED PRIOR TO TEMPORARY OCCUPANCY. COPY OF CERTIFICATION SHALL BE SUBMITTED TO ENGINEERING DEPARTMENT. BACK FLOW DEVICE SHALL BE LOCATED ON PRIVATE PROPERTY.
21. INSTALLATION OF A NEW WATER METER SHALL NOT BE LOCATED WITHIN THE DRIVEWAY APPROACH. WATER MAIN AND FIRE HYDRANT MAINS ONSITE AND OFFSITE NEW INSTALLATION OVER (18) FEET IN LENGTH SHALL BE REQUIRED TO COMPLY WITH CITY OF MADERA STERILIZATION PROCEDURES. UNUSED WATER SERVICE SHALL BE CAPPED AT CURB ANGLE METER.
22. EXISTING OR NEW LOT DRAINAGE SHALL NOT DRAIN ONTO ADJACENT PROPERTIES. SITE STORM DRAINAGE IN EXCESS OF ¼ ACRE WILL REQUIRE UNDER SIDEWALK DRAIN PER CITY STANDARDS IF NOT ALREADY COMPLETED. CONFIRMATION SHALL BE PROVIDED THAT STORM WATER RUN-OFF FROM THE SUBJECT PROPERTY HAS BEEN BROUGHT INTO COMPLIANCE WITH APPROPRIATE AGENCY REQUIREMENTS.
23. IF NOT ALREADY COMPLETED, A STORM WATER POLLUTION PLAN SHALL BE PREPARED AND A STORM WATER PERMIT OBTAINED OR A WAIVER BE GRANTED BY THE STATE REGIONAL WATER QUALITY CONTROL BOARD FOR DEVELOPMENTS OF OVER 1 ACRE IN SIZE PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS OR ANY CONSTRUCTION.

24. IF NOT ALREADY IN PLACE THE SEWER SERVICE SHALL BE 4" DIAMETER SDR-35 WITH CLEAN OUT AS REQUIRED PER STD. S-10. ALL EXISTING SEWER SERVICES SHALL REQUIRE CLEAN OUT PER STD S-10. (IF APPLICABLE) UNUSED SEWER SERVICE SHALL BE RUBBER CAP PLUGGED WITHIN RIGHT-OF-WAY.

FIRE DEPARTMENT:

25. THE ABOVE REFERENCED PROJECT IS PROTECTED BY THE MADERA CITY FIRE DEPARTMENT. PRIOR TO ANY CONSTRUCTION OCCURRING ON ANY PARCEL, THE APPLICANT SHALL CONTACT THE FIRE DEPARTMENT FOR VERIFICATION ON CURRENT FIRE PROTECTION DEVELOPMENT REQUIREMENTS. ALL NEW CONSTRUCTION SHALL COMPLY WITH EXISTING UNIFORM FIRE CODE REQUIREMENTS AND ALL APPLICABLE STATUTES, CODES, AND ORDINANCES.
26. WATER SYSTEMS DESIGNED TO MEET THE REQUIRED FIRE FLOW OF THIS DEVELOPMENT SHALL BE APPROVED BY THE FIRE DEPARTMENT. WATER SYSTEM SHALL BE OPERATIONAL AND APPROVED BY THE FIRE DEPARTMENT PRIOR TO ANY FRAMING CONSTRUCTION OCCURRING. THE REQUIRED FIRE FLOW SHALL BE DETERMINED BY UNIFORM FIRE CODE APPENDIX IIIA, AND UNIFORM FIRE CODE 901.3.
27. PRIOR TO BUILDING PERMIT, APPROVED FIRE HYDRANTS AND HYDRANT PAVEMENT MARKERS SHALL BE INSTALLED. FIRE HYDRANTS SHALL BE 6 INCHES IN DIAMETER WITH A MINIMUM OF ONE 1 INCH AND TWO 2 1/2 INCH CONNECTIONS AS SPECIFIED BY THE FIRE DEPARTMENT. THE DESIGN OF THE FIRE HYDRANT AND FIRE HYDRANT PAVEMENT MARKER SHALL BE APPROVED BY THE FIRE DEPARTMENT. HYDRANT SPACING SHALL BE 300 FEET IN COMMERCIAL / INDUSTRIAL DEVELOPMENTS. ADDITIONAL ON-SITE HYDRANTS ARE REQUIRED AND THE FIRE MARSHALL MUST BE CONSULTED PRIOR TO PREPARATION OF FINAL PLANS.
28. FIRE EXTINGUISHERS ARE REQUIRED IN ACCORDANCE WITH UNIFORM FIRE CODE STANDARD 10-1. EXIT DOORS, EXIT SIGNS AND ELEVATOR REQUIREMENTS ARE TO BE INSTALLED PER UBC. AN AUTOMATIC FIRE ALARM SYSTEM IS REQUIRED PER UBC WITH INSTALLATION PER NFPA 72.
29. AN AUTOMATIC FIRE EXTINGUISHING SYSTEM IS REQUIRED FOR ANY COMMERCIAL TYPE FOOD HEATING OR PROCESSING EQUIPMENT AND FOR THE ENTIRE BUILDING. ALL FIRE EXTINGUISHING SYSTEMS, INCLUDING AUTOMATIC SPRINKLER SYSTEMS, CLASSES I, II, AND III COMBINED STAND-PIPES, HALON SYSTEMS, AND OTHER SPECIAL AUTOMATIC EXTINGUISHING SYSTEMS, AND BASEMENT PIPE INLETS SHALL BE APPROVED BY BOTH THE FIRE DEPARTMENT AND THE BUILDING DIVISION PRIOR TO INSTALLATION. SAID SYSTEMS SHALL MEET THE APPROPRIATE STANDARD WHETHER NFPA OR UBC. THE FIRE DEPARTMENT SHALL WITNESS ALL SYSTEM TESTS, AND THE SYSTEM SHALL BE OPERATIONAL PRIOR TO OCCUPANCY.
30. STREET ADDRESSES SHALL CONFORM TO CITY STANDARDS, AND MUST BE A MINIMUM OF FOUR (4") INCHES IN HEIGHT AND HAVE A CONTRASTING BACKGROUND, AND SHALL BE LEGIBLE FROM THE STREET IN ACCORDANCE WITH THE UNIFORM FIRE CODE. THEY SHALL BE INTERNALLY OR EXTERNALLY ILLUMINATED DURING ALL HOURS OF DARKNESS.
31. ANY GATED ACCESS SHALL COMPLY WITH CITY STANDARDS FOR EMERGENCY ACCESS, AND A "KNOX BOX" SHALL BE REQUIRED FOR FIRE DEPARTMENT ACCESS. CONTACT THE FIRE DEPARTMENT FOR ORDERING INFORMATION.
32. ACCESS ROADS SHALL BE MAINTAINED AS ALL WEATHER, CAPABLE OF SUPPORTING 40,000 POUNDS PRIOR TO DELIVERY OF LUMBER FOR FRAMING AND MAINTAINED DURING CONSTRUCTION. DEBRIS PILES SHALL BE LIMITED PER THE CALIFORNIA FIRE CODE. THE ADJACENT WAREHOUSE USE WILL BE LIMITED PER CBC TABLE 3-B.
33. ANY STORAGE OF TOXIC OR HAZARDOUS MATERIALS, EXPLOSIVE OR FLAMMABLE OR COMBUSTIBLE LIQUIDS IS SUBJECT TO FIRST OBTAINING ANY APPROVAL REQUIRED BY THE MUNICIPAL CODE AND STATE AND FEDERAL LAW. ALL FLAMMABLE LIQUID STORAGE AND DISPENSING SHALL BE IN ACCORDANCE WITH THE APPLICABLE SECTIONS OF THE UNIFORM FIRE CODE ARTICLE 79.
34. THE REQUIREMENTS AND CONDITIONS OF APPROVAL NOTED ABOVE HAVE BEEN ESTABLISHED BASED ON THE INFORMATION SUBMITTED FOR REVIEW. ADDITIONAL AND/OR MODIFIED CONDITIONS MAY BE APPLIED AT SUCH TIME AS FINAL DEVELOPMENT PLANS (INCLUDING CONSTRUCTION DRAWINGS FOR BUILDING PERMITS) ARE SUBMITTED OR IF ANY CHANGES ARE MADE TO THE PROJECT. PLEASE SUBMIT CONSTRUCTION PLANS AND FINAL PLOT PLANS TO ENSURE THE PROPER APPLICATION OF CODES.

PLANNING DIVISION:

35. ON-SITE PARKING SHALL BE PROVIDED AT ALL TIME IN CONFORMANCE WITH THE MUNICIPAL CODE AND THE APPROVED SITE PLAN FOR THE PROPOSED USE. VEHICLE PARKING AREAS AND DRIVEWAYS SHALL BE CONSTRUCTED AND COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS AND CITY STANDARDS BEFORE FINAL BUILDING INSPECTION OR ESTABLISHMENT OF THE USE.
36. ONSITE TRAFFIC CONTROL EGRESS AND INGRESS SIGNING AND STRIPING AS REQUIRED SHALL BE INSTALLED IN ACCORDANCE WITH SITE PLAN PRIOR TO TEMPORARY OR FINAL OCCUPANCY. ANY UNPAVED ACTIVITY AREAS SHALL BE PAVED PRIOR TO ESTABLISHMENT OF THE USE.
37. THE ON-SITE PARKING LOT SHALL BE SHIFTED TO THE WEST TO ALLOW MORE ROOM BETWEEN THE SPACES AND THE FRONT OF THE BUILDING AND PROVIDE MORE ADEQUATE WALK WAY BETWEEN THE STREET AND THE HANDICAP PARKING SPACE, AND THE FRONT DOOR.
38. A MINIMUM OF ONE CITY APPROVED STREET TREE EVERY 50 FEET SHALL BE PROVIDED. NO TREES SHALL BE PLANTED WITHIN THIRTY (30) FEET OF ANY STREET LIGHT, OR FIVE (5) FEET FROM ANY FIRE HYDRANT.
39. SUBMIT LANDSCAPING AND IRRIGATION PLANS FOR REVIEW AND APPROVAL BY THE COMMUNITY DEVELOPMENT DIRECTOR BEFORE ISSUANCE OF A BUILDING PERMIT.
40. INSTALL LANDSCAPING AND IRRIGATION IN ACCORDANCE WITH THE APPROVED LANDSCAPING AND IRRIGATION PLANS BEFORE FINAL BUILDING INSPECTION OR ESTABLISHMENT OF THE USE.

41. LANDSCAPING SHALL BE MAINTAINED BY THE PROPERTY OWNER TO PROVIDE AN ACCEPTABLE APPEARANCE THAT IS COMPATIBLE WITH ADJACENT USES AND CONSISTENT WITH THE INTENT AND PURPOSE OF THE ZONE.
  42. A TRASH ENCLOSURE LOCATED AT LEAST 10 FEET FROM ANY STRUCTURE (INCLUDING OVER-HANG) SHALL BE PROVIDED WITH GATES TO SHIELD VIEW OF THE TRASH BIN ALONG WITH A MAN GATE FOR MORE CONVENIENT ACCESS. SUBMIT PLANS FOR THE STRUCTURE BEFORE ISSUANCE OF A BUILDING PERMIT. APPROVAL OF THE DESIGN AND LOCATION OF THE ENCLOSURE BY BROWNING FERRIS INDUSTRIES SHALL BE PROVIDED PRIOR TO ISSUE OF BUILDING PERMITS FOR THE ENCLOSURE.
  43. ALL TRASH DISPOSAL AREAS SHALL BE SCREENED FROM VIEW WITH AN APPROVED ENCLOSURE. SUBMIT DRAWINGS OF SCREENING STRUCTURES FOR REVIEW AND APPROVAL BY THE COMMUNITY DEVELOPMENT DIRECTOR BEFORE ISSUANCE OF A BUILDING PERMIT OR ESTABLISHMENT OF THE USE. INSTALL THE APPROVED SCREENING BEFORE FINAL BUILDING INSPECTION OR ESTABLISHMENT OF THE USE.
  44. OUTDOOR STORAGE, OR ANY ACCUMULATION OF TRASH, DEBRIS, OR PACKING MATERIALS SHALL BE PERMITTED ONLY IN AREAS ENTIRELY ENCLOSED BY FENCING REQUIRED BY THE MUNICIPAL CODE. STORED MATERIALS SHALL NOT BE STACKED HIGHER THAN THE SCREENING OR FENCING.
  45. ON-SITE SIGNING SHALL BE IN ACCORDANCE WITH CITY STANDARDS, AND ALL SIGNING SHALL BE REVIEWED AND APPROVED BY THE COMMUNITY DEVELOPMENT DEPARTMENT BEFORE ISSUANCE OF A SEPARATE SIGN CONSTRUCTION PERMIT. APPROVAL OF THIS PROJECT CONSTITUTES NEITHER A BASIS FOR, NOR APPROVAL OF, ANY EXCEPTIONS TO THE SIGN CODE.
  46. ANY OUTDOOR LIGHTING FIXTURES TO BE INSTALLED SHALL BE DIRECTED AND SHIELDED AWAY FROM ADJACENT PROPERTIES AND FROM STREET TRAFFIC. PLANS FOR ALL OUTDOOR LIGHTING SHALL BE REVIEWED AND APPROVED BY THE COMMUNITY DEVELOPMENT DEPARTMENT BEFORE ISSUANCE OF A BUILDING PERMIT. TEAR SHEETS OR OTHER DETAIL FROM THE MANUFACTURER SHALL BE PROVIDED TO THE PLANNING DIVISION FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION. THE APPROVED FIXTURES SHALL BE INSTALLED BEFORE FINAL BUILDING INSPECTION. LOW LEVEL LAMPPOSTS WITH HOODED LIGHT FIXTURES ARE RECOMMENDED.
  47. THE OWNER, AT THE OWNER'S EXPENSE, SHALL CORRECT NUISANCE LIGHTING CONDITIONS AFTER COMMENCEMENT OF OPERATION TO AN APPROVED MANNER WITHIN (30) CALENDAR DAYS OF NOTIFICATION FROM THE CITY ENGINEER.
- 1) This permit is issued pursuant to the terms of Article 13 of Chapter 3 of Title 10 of the Madera Municipal Code only, and does not relieve the permittee of any obligation to obtain any other permit required by any other Section of the Madera Municipal Code or any other regulation, law, ordinance in connection with the use herein specified; 2) Failure to utilize this permit within a twelve (12) month period from date of issuance shall render the permit null and void unless an extension is requested and granted by the Planning Commission; 3) Acceptance of this permit by the named permittee constitutes acceptance of any and all conditions; 4) Once utilized, this use permit will automatically terminate if abandoned for 12 (twelve) consecutive months unless an extension is granted; and 5) This use permit must be returned to the Community Development Department by the effective date, December 29, 2004.

City of Madera  
Community Development Department  
205 West Fourth Street

  
LARRY J. RED  
Planning Director

Date: \_\_\_\_\_

ACCEPTED:  
  
Tina Thompson Owner / Applicant

Date: 12-22-04

Questions regarding this use permit should be directed to the Community Development Department at (559) 661-5430.

**ATTACHMENT 5**  
**Planning Commission Resolution**  
**(Class 1 Categorical Exemption, CUP 2004-25)**  
Including  
“Exhibit A” Conditions of Approval for CUP 2004-25 MOD

**RESOLUTION NO. 1969**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA  
ADOPTING A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES  
SECTION 15301 (EXISTING FACILITIES) AND APPROVING A CONDITIONAL USE  
PERMIT (CUP 2004-25 MOD) FOR THE PURPOSE OF ESTABLISHING A PEDIATRIC  
PROGRAM WITHIN THE STAR CENTER DAY AND HEALTH CARE FACILITY AT 109  
EAST CENTRAL AVENUE.**

**WHEREAS**, Krest Holdings, LLC (“Applicant”) has filed Conditional Use Permit (“CUP”) Application No. CUP 2004-25 MOD requesting authorization to establish and operate a State-licensed pediatric day and health care program in conjunction with the existing State-licensed adult day and health care facility (STAR Center) use operating on property located at 109 East Central Avenue, Madera, CA. 93638, APN 007-012-013 (“site”); and

**WHEREAS**, the site is planned for commercial uses by the Madera General Plan and zoned C1 (Light Commercial), consistent with the Commercial land use designation; and

**WHEREAS**, Conditional Use Permit CUP 2004-25 was approved by the Planning Commission on December 14, 2004, authorizing the establishment of a State-licensed day and health care facility (STAR Center) providing site-based program services at the site for adult individuals aged 22 and older; and

**WHEREAS**, Conditional Use Permit Application CUP 2004-25 MOD is a request for modification of the existing CUP to authorize the incorporation of a pediatric program for children and young adult individuals (ages 3 to 22) within the existing day and health care facility operations providing similar site-based program services for adult individuals with disabilities (ages 22 and older); and

**WHEREAS**, the site has been previously developed with structures and on- and off-site improvements to support the existing/proposed uses on the site; and

**WHEREAS**, the incorporation of a pediatric program within existing day and health care facility operations pursuant to the application for CUP 2004-25 MOD will not involve the construction or placement of new structures or buildings on the site, or new uses which necessitate on-site improvements to comply with the provisions of the City Municipal Code; and

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

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

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

**WHEREAS**, the Planning Commission received and reviewed CUP 2004-25 MOD at a duly noticed meeting on October 10, 2023; and

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

**WHEREAS**, the Planning Commission now desires to adopt a Categorical Exemption for the project, and approve CUP 2004-25 MOD, with conditions.

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

1. Recitals: The above recitals are true and correct and are incorporated herein.
2. CEQA Determination: A preliminary environmental assessment was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA). The Planning Commission determines that the project is exempt under Section 15301 (Existing Facilities) of the State CEQA Guidelines because the project proposal is limited to the incorporation of a pediatric program into existing adult day and health care operations in order to be able to provide similar services, for similar purpose, to a more diverse client base. The use occupies an existing building on an existing improved parcel and will be shared between adult and pediatric programs. No new development, on- or off-site improvements, or interior tenant improvements are proposed as part of the project. The proposed extension of operational hours falls within normal business hours for commercial planned and zoned areas and will not have potential to result in new significant impacts given the site design, indoor operations, and compliance with the conditions of approval. The service capacity for the number of individuals participating in the program daily will remain the same. Fewer employees are proposed (or expected to be needed for future operations). Changes to existing operations are therefore considered negligible in relation to the existing use. The proposed project is consistent with applicable general plan designations and policies and the site is served by all required services and utilities. None of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project and the project does not present unusual circumstances as the project proposes to provide the same services but to additional ages and will not result in any new construction and there is no evidence the project will have a significant effect on the environment.
3. Findings to approve CUP 2004-25 MOD: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support the approval of CUP 2004-25, as conditioned. With conditions, the project is consistent with the requirements of the City Municipal Code, including Section 10-3.1307. The Planning Commission further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:

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

Basis for Finding: The property is zoned C-1 (Light Commercial), which is consistent with the existing General Plan land use designation of C (Commercial). As conditioned, CUP 2004-25 MOD is consistent with the purpose and intent of the C1 (Light Commercial) zone district and does not conflict with City standards or other provisions of the Code.

Fostering a healthy and safe Madera was a major outcome of Vision 2025 and is a major goal of the Madera General Plan. Vision 2025 says of health, "In the year 2025, Madera has a safe and healthy environment for all its residents. Madera's state-of-the-art medical facilities and clinics serve all ages and cultures, promoting community and personal



wellness. Madera's seniors and individuals with disabilities lead independent lives with the support of local services."

The STAR Center day and health care facility currently provides site-based program services to adult (ages 22 and older) individuals with developmental disabilities and skilled nursing needs during daytime hours. The proposal to include a pediatric program for children and young adults (ages 3-22) in conjunction with adult individuals contributes to Madera's vision goals to provide social and health services to all ages and contributes to the ability of individuals with disabilities to live more independently with local assistance.

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

Basis for Finding: The project site is suitable for the proposed use. The project site is located within an area which is planned for commercial uses by the Madera General Plan and has been developed with urban commercial and residential uses. The Fresno River is located to the north and is designated for Resource Conservation by the General Plan.

Discussion relative to the appropriateness of the site for a day and health care facility use was included within the Staff Comments section of the report to the Planning Commission delivered for consideration with the original CUP 2004-25. The Conditions of Approval for CUP 2004-25, as adopted by the Commission, included the following finding:

"The proposed use is compatible with the neighborhood and is not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or the City."

Surrounding circumstances have not changed. As proposed, approval of CUP 2004-25 MOD will result in negligible or no expansion of use to the existing STAR Center day and health care facility and therefore the use will remain compatible with surrounding properties.

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

Basis for Finding: As discussed above, the existing use, for which there will be negligible or no expansion resultant from approval of CUP 2004-25 MOD, was previously found to be compatible with surrounding properties and not detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or the City. Circumstances have not changed.

CUP 2004-25 MOD, as proposed, has been found to be categorically exempt from the provisions of CEQA (as stated herein above) and will not have a significant, adverse environmental impact. There is no history of prior actions for purposes of, or evidence in the administrative record which would presently support, termination and revocation of CUP 2004-25 pursuant to §10-3.1311 of City Municipal Code.

4. Approval of CUP 2004-25 MOD: Given that all findings can be made, the Planning Commission hereby approves CUP 2004-25 MOD as conditioned as set forth in the Conditions of Approval attached as Exhibit "A."

5. Effective Date: This resolution is effective immediately.

Passed and adopted by the Planning Commission of the City of Madera this 10<sup>th</sup> day of October 2023, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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Robert Gran, Jr  
Planning Commission Chairperson

Attest:

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Gary Conte  
Planning Manager

Exhibit "A" – Conditions of Approval for CUP 2004-25 MOD

**EXHIBIT "A"**  
**CUP 2004-25 MOD**  
**CONDITIONS OF APPROVAL**  
**(STAR Center Day and Health Care Facility)**  
**OCTOBER 10, 2023**

**Notice to Applicant**

Pursuant to Government Codes Section 66020(d)(1) and/or Section 66499.37, any protest related to the imposition of fees, dedications, reservations, or exactions for this project, or any proceedings undertaken regarding the City's actions taken or determinations made regarding the project, including but not limited to validity of conditions of approval must occur within ninety (90) calendar days after the date of decision. 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 plan review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community; and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

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

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

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

All discretionary conditions of approval for CUP 2004-25 MOD will ultimately be deemed mandatory unless appealed by the applicant to the City Council within fifteen (15) days after the decision by the Planning Commission. In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval, you may do so by filing a written appeal with the City Clerk. The appeal shall state the grounds for the appeal and wherein the Commission failed to conform to the requirements of the zoning ordinance. This should include identification of the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld.

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

#### **GENERAL CONDITIONS:**

1. Approval of this application shall be considered null and void in the event of failure by the applicant and/or the authorized representative to disclose and delineate all facts and information relating to the subject property and proposed uses.
2. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specified in the conditions of approval listed herein or mandated by statutes.
3. The applicant shall submit to the City of Madera Planning Department a check in the amount necessary to file a Notice of Exemption at the Madera County Clerk. This amount shall equal the Madera County filing fee in effect at the time of filing. **Such check shall be made payable to the Madera County Clerk and submitted to the City of Madera Planning Department no later than three (3) days following all approval actions for CUP 2004-25 MOD.**
4. CUP 2004-25 MOD shall expire 12 months from date of issuance, unless positive action to utilize the privileges granted by the CUP or a written request for extension has been submitted to the Planning Commission before the expiration of the CUP in accordance with Section 10-3.1311, Termination and Revocation of the MMC.
5. It shall be the responsibility of the property owner, operator, and/or management to ensure that any required permits, inspections, and approvals from any regulatory agency be obtained from the applicable agency prior to issuance of a building permit and/or the issuance of a certificate of completion, and/or prior to operations authorized subject to the CUP commencing, as determined appropriate by the City of Madera Planning Department.
6. A business license with the City must be maintained at all times.
7. Deferrals are not permitted for any condition included herein, unless otherwise stated or unless approved by the City Council, through a separate deferral process.
8. Approval of CUP 2004-25 MOD is for the benefit of the applicant. The submittal of applications by the applicant for this project was a voluntary act on the part of the applicant not required by the City. Therefore, as a condition of approval of this project, the applicant agrees to defend, indemnify, and hold harmless the City of Madera and its agents, officers, consultants, independent contractors, and employees ("City") from any and all claims, actions, or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the project, including any challenges to associated environmental review, and for any and all costs, attorneys fees, and damages arising therefrom (collectively "claim").

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

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

## **PLANNING DEPARTMENT**

### **General**

9. All original conditions of approval for CUP 2004-25, as adopted by the Planning Commission on December 14, 2004, remain in effect, and are incorporated herein by reference.
  - a) The applicant/owner shall maintain the project site and all required improvements in accordance with the original conditions of approval at all times.
10. The development of the project site and associated improvements shall be maintained in conformance with the site plan, floor plan, landscape & irrigation plans, elevation drawings, and/or any/all other exhibits approved in conjunction with the original CUP 2004-25.
11. No new development is authorized through the approval of CUP 2004-25 MOD. City approved Planning entitlements and/or building or encroachment permits are required prior to commencement of any construction activities, including but not limited to, on- and off-site improvements, building construction, or sign erection.
  - a) Interior tenant improvements which may be required to meet occupancy or other requirements of the building code, or other State-licensing requirements, shall be submitted to the City of Madera Building Department for permit plan check review.
  - b) Minor modifications to approved plans as necessary to meet regulatory, engineering, or similar constraints may, at the discretion of the Planning Manager, be authorized without an amendment to CUP 2004-25 MOD but may require site plan review in accordance with the applicability provisions of §10-3.4.0102 of the MMC and/or an encroachment permit from the Engineering Department for work within public easements or rights-of-way. Should the Planning Manager determine that modifications are substantive, he/she may require an amendment to CUP 2004-25 MOD and/or submittal of a site plan review application for review and approval through the applicable City process.
12. The Operational Statement is germane to the rights or privileges granted through approval of CUP 2004-25 MOD. Prior to issuance of a business license, or commencement of operations for the pediatric program, a final Operational Statement which includes any additional statements, information, or acknowledgments as required to demonstrate compliance with the conditions contained herein shall be approved by the Planning Department.

- a) All statements and representations made in the final approved Operational Statement shall be complied with at all times any of the rights or privileges granted pursuant to CUP 2004-25 MOD are exercised on the subject property.
- 13. In accordance with the Operational Statement, the number of program participants shall not exceed a maximum of 30 individuals per day; and facility hours of operation shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday.
- 14. Prior to issuance of a business license, or commencement of operations for the pediatric program, the applicant/operator shall demonstrate acquisition of applicable State licensing and authorization to begin pediatric program operations and services.
- 15. The property owner, operator and/or manager shall not operate in a manner that is demonstrated to adversely affect the joint-use of the property by adjacent commercial use operations or facilities in a manner consistent with City entitlements or approvals.
  - a) Prior to issuance of a business license, or commencement of operations for the pediatric program, the applicant/operator shall revise the Operational Statement for the proposed project to include a drop-off and pick-up management plan for participants in the pediatric program and submit the revised Operational Statement to the Planning Department for review and approval. The management plan should, at minimum, address vehicle circulation and congestion management in a manner which is safe, efficient, and minimizes circulation impacts to adjacent business operations on the subject property or adjacent properties or streets. Strategies such as staggering drop-off and pick-up times, utilization of organized transit services, and/or developing other methods for organizing, directing and/or educating parents/guardians of participants in the pediatric program regarding drop-off and pick-up procedures and best-practices are all encouraged.
  - b) No daycare related outdoor recreational activities shall occur on the project site without prior approval of the City of Madera.
- 16. The property owner, operator and/or manager shall keep the property clear of all trash, rubbish and debris at all times, and disposal of refuse shall be restricted to City-approved solid waste enclosures.
- 17. Vandalism and graffiti shall be corrected in accordance with the provisions of the Madera Municipal Code (MMC).
- 18. The property owner, operator, and/or manager shall operate the site in a manner that does not generate noise, odor, blight, or vibration that adversely affects adjacent properties.
- 19. The project site shall be subject to periodic reviews and inspection by the City to determine compliance with the conditions of approval and applicable codes. If at any time, the use is determined by staff to be in violation of the conditions, the property owner, operator, and/or manager may be subject to corrective action.
  - a) In accordance with Section 10-3.1311 of the MMC, all use permits which have been granted as provided in this chapter may be revoked by the Commission after a hearing as set forth below in the event the user of such permit, or his or its successor in interest to the real property in favor of which the permit was granted, breaches or fails to abide by any of the conditions designated in such permit, or conducts any use or activity on such property contrary to the provisions of the MMC, federal, and/or state laws.

Material violations of any of those laws concerning the use(s) may be cause for revocation of CUP 2022-33.

### **Outdoor Storage**

20. Outdoor storage of material and/or equipment is prohibited.

### **Signage**

21. All signage shall be in compliance with the Sign Ordinance of the MMC Section 10-6. All permanent signage, with the exception of required signs in accordance with City standards, is required to have an approved Sign Permit issued by the Planning Department per MMC Section 10-6.
22. All proposed construction announcement signs used shall conform to the Municipal Sign Ordinance.
23. The proposed building shall incorporate decorative form and material depicting building addresses. No plastic, vinyl or similar type of building materials shall be used for building address signage.

### **BUILDING DEPARTMENT**

24. Buildings, structures, facilities and/or equipment shall comply with all applicable provisions of the most recent version of the California Building and Fire Codes.
  - a) Prior to issuance of a business license, or commencement of operations for the pediatric program, the applicant/operator shall obtain an inspection from the City of Madera Building Department to inspect the existing structures and facilities to be occupied for purposes of the proposed use. Any/all requirements necessary to comply with applicable building or fire code regulations shall be met as determined by the Chief Building Official.

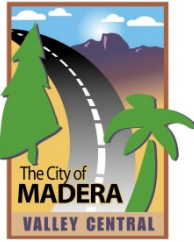
### **ENGINEERING**

#### **General**

25. Nuisance onsite lighting shall be redirected as requested by City Engineer within 48 hours of notification.

#### **Streets**

26. The property owner shall repair or replace all broken or damaged concrete improvements including curb, gutter and sidewalk to current City and ADA standards upon notified request by the City Engineer. Limits of repairs shall be established by the City Engineering Inspector.



## REPORT TO THE PLANNING COMMISSION

**Prepared by:**

Robert Smith, Senior Planner

**Meeting of:** October 10, 2023

**Agenda Number:** 4

**SUBJECT:**

Tentative Subdivision Map (TSM) 2022-03 – Ventana I and Tentative Subdivision Map P(TSM) 2022-04 - Ventana II

**RECOMMENDATION:**

Conduct a public hearing and:

1. Adopt a Resolution of the Planning Commission of the City of Madera approving TSM 2022-03 and TSM 2022-04, as conditioned and conformity with the Ventana Specific Plan Environmental Impact Report certified March 7, 2007. Pursuant to CEQA Guidelines Section 15162, subsequent environmental review is not required for TSM 2022-03 and 2022-04

**PROPOSAL:**

The applicant, Lak Brar / Brar Construction, is requesting the approval of two tentative subdivision maps (Tentative Subdivision Map 2022-03 (TSM 2022-03) (Ventana I) and Tentative Subdivision Map 2022-04 (TSM 2022-04)) (Ventana II) for the purpose of subdividing four parcels encompassing approximately 237.5 acres (Accessor's Parcel Numbers (APN's) 012-490-002, 012-490-004, 012-490-005, and 012-490-006). Both maps are being processed concurrently.

The irregular-shaped parcels, located on the southern edge of the City, west of Highway 99, are collectively bound by Pecan Avenue to the north, Road 28 ¼ to the east, Hazel Avenue to the south, and an existing subdivision and Parkwood Elementary School to the west herein refer to as the "project site" or "proposed project site" (refer to Attachments 1 and 2). The City limits form the project site's eastern and southern boundaries. With the exception of the northwest corner, the project site boundaries align with the Ventana Specific Plan Area boundaries (refer to Attachment 3) adopted in March 2007.

The project site, in compliance with the Specific Plan, is zoned PD 3000 (Planned Development, one unit per 3,000 square feet of site area), PD 4500 (Planned Development, one unit per 4,500 square feet of site area), PD 6000 (Planned Development, one unit per 6,000 square feet of site area), PF (Public Facilities), and CN (Neighborhood Commercial) (refer to Attachments 3 and 4). The site is planned for LD (Low Density Residential), MD (Medium Density Residential), P&SP (Other Public & Semi-Public Uses), and C (Commercial) uses within the City's Specific Plan and General Plan (refer to Attachment 5). The project site lies at the City limits with the proposed uses consistent with the land uses designated in the adjoining County Planning area (refer to Attachment 6).



### **Tentative Subdivision Map 2022-03**

TSM 2022-03 (Ventana I) proposes the creation of an 855-lot residential subdivision with lots ranging from a minimum of 3,000 square feet (ft) to more than 6,000 sf in size. In addition to the residential lots, the tentative subdivision map proposes to create 2 lots totaling 13.27 acres for future multi-family uses, 3 outlots totaling 20.11 acres to be used for parks, and one 8.63-acre outlot to be used as a storm drain basin as well as a 5.24-acre remainder (refer to Exhibit “B” of Attachment 8). All interior streets of the subdivision will be public streets. Street connections will provide vehicular and pedestrian access to East Pecan Avenue to the north, and to Road 28 ¼ to the east. Hazel Avenue and Bruno Avenue serving the existing residential subdivision to the west will be extended through the project. The map identifies the street right-of-way improvements to support the development of the subdivision map and connections to existing streets abutting the project site.

### **Tentative Subdivision Map 2022-04**

TSM 2022-04 (Ventana II) proposes the creation of 19 lots ranging from 0.75 acres (Lot 5) to 22.7 acres (Lot 15) and a remainder. Similar to TSM 2022-03, the remainder is 5.24 acres. In addition to the 19 lots and remainder, the proposed subdivision map identifies the park and storm basin outlots as well as individual sections of the streets identified in TSM 2022-03 as Lots A through W. The purpose of this map is to allow sections of the Ventana Specific Plan Area to be sold to and developed by one or more home builders (refer to Exhibit “C” of Attachment 7).

As part of the adoption of the Ventana Specific Plan (refer to Attachment 8), an Environmental Impact Report (EIR) was previously prepared and certified for the Specific Plan (Ventana Specific Plan EIR, SCH No. 2005091149) (refer to Attachment 9).

### **SITE CHARACTERISTICS:**

The project site consists of an active nut orchard with a rural single-family home and several agricultural buildings located at the southeastern corner of the site. As a site with a long history of agricultural disturbance, the site is devoid of most native and non-native species naturally occurring in this area. The built areas consist of structures, roads and parking areas. The plant diversity in this habitat is low and is composed primarily of non-native grasses and other ruderal plants.

The majority of the site is located within a Federal Emergency Agency (FEMA) 100-year floodplain (FEMA Special Flood Hazard Area, Zone AO). In major storm events, where large amounts of precipitation fall within a 24-hour period, run-off tends to pool in this floodplain.

An overview of the proposed project and project site characteristics are provided in Table 1 below.

<b>Table 1: Project Overview</b>	
<i>Project Number:</i>	TSM 2022-03, TSM 2022-04
<i>Applicant:</i>	Lak Brar / Brar Construction
<i>Property Owner:</i>	Lak Brar
<i>Location:</i>	Southwest corner of Pecan Avenue and State Route (SR) 99 (APNs 012-490-002, 004, 005, and 006); Bounded by Pecan Avenue to the north, Road 28 ¼ to the east, Hazel Avenue to the south, and an existing subdivision and Parkwood Elementary School to the west.
<i>Project Area:</i>	237.5-acres; Ventana Specific Plan Area.
<i>Planned Land Use:</i>	LD (Low Density Residential), MD (Medium Density Residential), P&SP (Other Public & Semi-Public Uses), and C (Commercial)

<b>Table 1: Project Overview</b>	
<i>Zoning District:</i>	PD 3000 (Planned Development, one unit per 3,000 square feet of site area), PD 4500 (Planned Development, one unit per 4,500 square feet of site area), PD 6000 (Planned Development, one unit per 6,000 square feet of site area), PF (Public Facilities), and CN (Neighborhood Commercial)
<i>Site Characteristics</i>	The project is located on land that is currently used for agriculture. Planned land use bordering the site is Low Density Residential and Other Public & Semi-Public land uses to the west, Village Reserve to the south and east, and Very Low Density Residential to the north.

## **SUMMARY:**

The applicant is proposing two Tentative Subdivision Maps (in order to subdivide and develop approximately 237.5 acres of land within the Ventana Specific Plan Area consistent with the framework and development standards of the Specific Plan. The lotting scheme, parkland space, storm drainage basin and circulation improvements depicted in both TSM 2022-03 and TSM 2022-04 are consistent with the conceptual lotting scheme and circulation improvements illustrated in the approved Ventana Specific Plan (refer to Attachment 6). The proposal retains the appropriate density for Neighborhood #8, however; differ slightly in the lotting scheme. The specific plan notes that Neighborhood #8 can accommodate 258 units in compliance with the approved land use density for this area. TSM 2022-03 denotes Neighborhood #8 as Multifamily Property #1 and #2.” The combined proposed total is 144 units in this neighborhood in addition to the retained 60 PD 3000 lots is still compliant with the Specific Plan.

## **PRIOR ACTION:**

The Ventana Residential Subdivision project has undergone previous project review, including prior approval of the Ventana Specific Plan and Ventana Specific Plan Final EIR, which was certified by the City Council on March 7, 2007. On April 10 of 2007, the project was approved which included the annexation of land, a General Plan Amendment, a Specific Plan, Rezoning, Precise Plan, and two tentative subdivision maps. The two tentative maps and the precise plans were extended for several years, until they expired on April 10, 2016.

On June 12, 2018, TSM 2018-01 and 2018-02 were approved, once again initiating the intention to subdivide the Ventana Specific Plan Area. After a lack of development action on the two maps, the two TSMs expired. TSM 2022-03 and 2022-04 are generally consistent with the approvals for TSM 2018-01 and 2018-02. All other entitlements that have been previously approved for the Ventana project remain in effect.

## **SURROUNDING LAND USES:**

The site is bordered to the north by Pecan Avenue with single family residences beyond, on land that is planned for Very Low-Density Residential use. The site is bordered by Road 28 ¼ to the east on land that is planned for Village Reserve that is currently being used for agriculture and an Ag-Right Enterprises facility. The site is bordered by Hazel Avenue to the south, with land beyond containing agriculture and Madera Irrigation District facilities on land that is planned for Village Reserve. The site is bordered to the west by a single-family residential subdivision and Parkwood Elementary School. Land to the west is planned for Low Density Residential and Other Public & Semi-Public uses (refer to Attachment 5). To the north of the project site, land is zoned RA (One unit per 12,000 square feet). Land to the east is zoned CRG (Commercial, Rural, General District - County) and AR-5 (Agricultural, Rural, (Five Acre) District - County), land to the south is zoned ARE-20 (Agricultural, Rural, Exclusive (20 acre) District - County) and ARE-40 (Agricultural, Rural, Exclusive (40 acre) District - County), and land to the west is zoned PD 4500 (Planned

Development (One unit per each 4,500 square feet) currently developed as single family homes, and PF (Public Facilities)(refer to Attachment 6) currently developed as the Parkwood Elementary School.

Table 2 below summarizes the existing development/uses, and the General Plan land use designations and zoning districts surrounding the proposed project site. The General Plan designations identified in Table 2 represent the City's General Plan land use designations surrounding the project site. The zoning districts identified in Table 2 include both City and County zone districts based on where the City limit boundary abuts the project site.

<b>Table 2: Bordering Site Information</b>			
<i>Direction</i>	<i>Existing Use</i>	<i>General Plan Designation</i>	<i>Zone District</i>
<i>North</i>	Single-Family Residences	Very Low Density	RA (City)
<i>East</i>	Ag-Right Enterprises, Agriculture	Village Reserve	CRG (County), AR-5 (County)
<i>South</i>	Madera Irrigation District, Agriculture	Village Reserve	ARE-20 (County), ARE-40 (County)
<i>West</i>	Single-Family Residential Subdivision, Parkwood Elementary School	Low Density Residential, Other Public & Semi-Public	PD 4500 (City), PF (City)
RA – One unit per each 12,000 square feet (City) CRG – Commercial, Rural, General District (County) AR-5 – Agricultural, Rural, (Five Acre) District (County) ARE-20 – Agricultural, Rural, Exclusive (20 acre) District (County) ARE-40 – Agricultural, Rural, Exclusive (40 acre) District (County) PD 4500 – Planned Development (One unit per each 4,500 square feet) (City) PF – Public Facilities (City)			

## ANALYSIS:

The California Subdivision Map Act (Government Code Section 66410, et seq.) establishes most of the procedures for subdivision of land. Other components are contained within Chapter 2 (Subdivisions) of Title 10 (Planning and Zoning) of the Madera Municipal Code. Generally, a tentative subdivision map is required in order to subdivide land into five or more parcels.

Pursuant to Government Code Section 66474, a legislative body of a city or county shall deny approval of a tentative map, if it makes any of the following findings:

- That the proposed map is not consistent with applicable general plan and specific plans as specified in Section 65451 of the Government Code.
- That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- That the site is not physically suitable for this type of development.
- That the site is not physically suitable for the proposed density of development.
- That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate

easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. The subsection shall apply only to easements of record or to easements established by judgement of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

As noted above, TSM 2022-03 proposes the creation of 855 single family residential lots, plus the potential of 144 multi—family residential units on the 237.5-acre project site. Additionally, the project would provide 20.11 acres for parks, and an 8.63-acre storm drain basin.

The project is part of the previously approved Ventana Specific Plan, which established specific development guidelines for the project site. TSM 2022-03 and TSM 2022-04 are consistent with, and will conform to, the Ventana Specific Plan and Madera General Plan. The lot sizes, lot pattern, street design, etc., are proposed in conformance with the requirements detailed in the approved Ventana Specific Plan. The Ventana Specific Plan development standards are identified below in Table 3.

<b>Table 3: Zone District Development Standards – Ventana Specific Plan</b>		
<i>Zone District</i>	<i>Standard</i>	<i>Requirements</i>
<i>PD 6000 &amp; PD 4500</i>	<i>Minimum/maximum average lot size (sf)</i>	6,000/10,000 (PD 6000) 4,500/5,500 (PD 4500)
	<i>Average density range (units per net acre)</i>	3-7
	<i>Average population density</i>	16.5
	<i>Front setback</i>	15 ft
	<i>Rear setback</i>	10 ft
	<i>Interior side setbacks</i>	5 ft
	<i>Exterior side setbacks</i>	10 ft
	<i>Building height</i>	2 story or 35 ft
	<i>Floor Area Ratio (FAR)</i>	N/A
	<i>Garage (straight-in)</i>	20 ft
	<i>Garage (swing-in)</i>	10 ft
	<i>Garage (exterior side)</i>	15 ft
	<i>Porch</i>	10 ft
	<i>Fencing and walls (within setback) – front yard</i>	3 ft
	<i>Fencing and wall height (within setback) – corner side yard</i>	3 ft
	<i>Fencing and wall height (behind building edge)</i>	6 ft
	<i>Parking</i>	2 spaces, including one covered
<i>PD 3000</i>	<i>Minimum/maximum average lot size (sf)</i>	3,000/4,000
	<i>Average density range (units per net acre)</i>	8-15
	<i>Average population density</i>	29
	<i>Front setback</i>	10 ft
	<i>Rear setback</i>	10 ft
	<i>Interior side setbacks</i>	0 ft (interior, zero lot line) 4 ft (interior, conventionally plotted)
	<i>Exterior side setbacks</i>	10 ft
	<i>Building height</i>	2 story or 35 feet

**Table 3: Zone District Development Standards – Ventana Specific Plan**

<i>Zone District</i>	<i>Standard</i>	<i>Requirements</i>
	<i>Floor Area Ratio (FAR)</i>	N/A
	<i>Porch</i>	10 ft
	<i>Fencing and walls (within setback) – front yard</i>	3 ft
	<i>Fencing and walls (within setback) – corner side yard</i>	3 ft
	<i>Fencing and walls (behind building edge)</i>	6 ft
	<i>Parking</i>	1 space for first 4 units and 1 space for each 4 units thereafter
<i>CN</i>	<i>Building Height</i>	35 ft
<b>Notes:</b> <sup>1</sup> All standards have been taken directly from the Ventana Specific Plan. <sup>2</sup> Setbacks measured from public right-of-way. Where a sidewalk easement is used, garage setbacks are measured from the back of sidewalk instead of the property line. All garages must have roll-up doors. Minor architectural projections, such as fireplaces, porches and roof overhangs may project into a setback so long as it meets building code. <sup>3</sup> The only standard provided for the CN zone district is building height. <sup>4</sup> No standards are provided for the PF zone district. *Where standards are not identified the municipal residential zoning code will prevail subject to Planning Manager review.		

The EIR certified for the Ventana Specific Plan analyzed the potential physical impacts resulting of the projected development within the Plan Area and determined that with mitigation, the project would not cause substantial environmental damage or substantially and avoidable injure to fish or wildlife or their habitat, and that the development of the Plan Area would not cause serious public health problem. As noted above, the project is consistent with the conceptual lotting plan and improvement plans found within the Specific Plan. As proposed, the design of the project will not conflict with the easements and access through the project site. The project provides connectivity to an adjacent subdivision to the east and would extend these points of connectivity through the site.

The project is part of the previously approved Ventana Specific Plan, which established specific development guidelines for the project site. TSM 2022-03 and TSM 2022-04 are consistent with, and will conform to, the Ventana Specific Plan and Madera General Plan. The lot sizes, lot pattern, street design, etc., are proposed in conformance with the requirements detailed in the approved Ventana Specific Plan. The Ventana Specific Plan development standards are identified below in Table 3.

Because the number of residential lots proposed by TSM 2022-03 is larger than a typical subdivision map, TSM 2022-03 has been broken up into 19 lots or blocks. These blocks represent logical boundaries for development and are grouped by land use and/or drainage area whenever possible. Separating portions of the map will allow different owners to develop different portions of the subdivision.

#### **PARKLAND ACQUISITION:**

The Quimby Act authorizes the City to require dedication of parkland or the payment of fees in-lieu of such dedication in set amounts to meet the needs of the citizens of the community for which parkland and to further the health, safety and general welfare of the community. The Quimby Act has been in effect since the mid-1970s. Subsequent to the adoption of the Ventana Specific Plan, the City in March 2018 adopted an ordinance authorizing the City, pursuant to the Quimby Act, to require dedication of parkland or the payment of fees in-lieu of such dedication in set amounts to meet the needs of the citizens of the community for parkland and to further the health, safety and general welfare of the community. The

dedication and improvement of the parkland identified in the proposed TSMs would be eligible for credit toward the subdivision's obligation to provide open space or pay fees to obtain open space. The applicant proposes the provision of three parks totaling 20.11 acres that would serve as public park space to the subdivision. All the proposed parks are centrally located within the project site. The dedication (e.g., size and location) of each park identified in the TSMs is consistent with the adopted Ventana Specific Plan.

#### **GENERAL PLAN CONFORMITY:**

The first of the four core vision statements in the Vision Plan is a "well-planned City." The Commission, by considering how this development connects to other developments and how the neighborhood and infrastructure can be maintained, is actively implementing this key concept of the Vision Plan.

Moreover, approval of the project is specifically consistent with Strategy 131, "Create Well-Planned neighborhoods throughout Madera that promote connectivity and inclusiveness with a mix of densities and commercial components."

The proposed lotting pattern and density of TSM 2022-03 demonstrates general consistency with the applicable goals and policies of the General Plan. The General Plan also provides direction for the development of homes within the subdivision. The development of homes on individual lots is guided by Action Item CD33.1 which states that final designs within the PD (Planned Development) Zone District are approved as part of a precise plan. Although the previous precise plans expired along with the previously approved tentative subdivision maps for the Ventana Specific Plan Area, a precise plan application does not need to accompany tentative subdivision map applications. However, a precise plan application will need to be submitted and approved prior to any construction within the subdivision.

#### **PUBLIC INFRASTRUCTURE:**

Public infrastructure and utilities required by the Madera Municipal Code and the Madera General Plan will be constructed in support of the tentative subdivision maps. Required infrastructure includes sewer, water and storm drainage improvements consistent with the City's infrastructure masterplans.

#### **STREET NAMES:**

The processing for naming streets calls for the Planning Manager to assign street names on the face of the tentative map which are reviewed and approved as part of the overall project. With the exception to the existing perimeter streets, the proposed street names will be exclusive to the proposed subdivision. Upon approval, the Planning Manager will assign street names in anticipation of submittal of final subdivision maps.

#### **ENVIRONMENTAL REVIEW:**

This project has been previously assessed for compliance with the California Environmental Quality Act (CEQA). The City Council previously certified an EIR for the project on March 7, 2007. The current iteration of the project has been reviewed for conformity with the previously certified EIR and has been deemed to be consistent with this previous action under section. The subdivision map with minor amendments to facilitate the completion of an approved map is a procedural matter that does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change that has not been previously taken into consideration through the former Ventana Specific Plan project EIR. Pursuant to CEQA Guidelines Section 15162, subsequent environmental review is not required for TSM 2022-03 and 2022-04 based on the following:

- a. No substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, the application maintains density in line with that studied and is otherwise consistent with the development originally proposed for the subject site as contemplated by the EIR. As such, no further environmental review is necessary or required.
- b. No substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, the application is consistent with the originally approved tentative map that was assessed by the EIR and there are no new substantial changes in the physical environment that were not anticipated in the EIR, including its analysis in light of development contemplated in the General Plan.
- c. There is no new information, which was not known and could not have been known at the time of the previous EIR that the project will have significant effect not discussed in the EIR. The project will not have any more significant effects than that already discussed and assessed in the EIR. As an EIR was previously adopted for the considerations set forth in CEQA Guidelines § 15162(a)(3)(C) and (D), related to the adequacy and feasibility of previously adopted mitigation measures, are not applicable.

Based upon these findings, it has been determined that no further environmental documents are required for this application for the amended proposal.

#### **COMMISSION ACTION:**

The Commission will be acting on TSM 2022-03 and TSM 2022-04. Staff recommends that the Commission:

1. Move to adopt a Resolution conditionally approving TSM 2022-03 and TSM 2022-04.

#### **ALTERNATIVES:**

As an alternative, the Commission may elect to:

1. Move to continue the public hearing to a future Planning Commission meeting: (Planning Commission to specify date).
2. Move to deny the request based on specific findings: (Planning Commission should articulate reasons for denial).

#### **ATTACHMENTS:**

1. Vicinity Map
2. Aerial Photo
3. Ventana Specific Plan Land Use Map
4. City Zoning Map
5. City General Plan Land Use Map
6. County Zoning Map
7. Planning Commission Resolution  
Exhibit "A" – Conditions of Approval

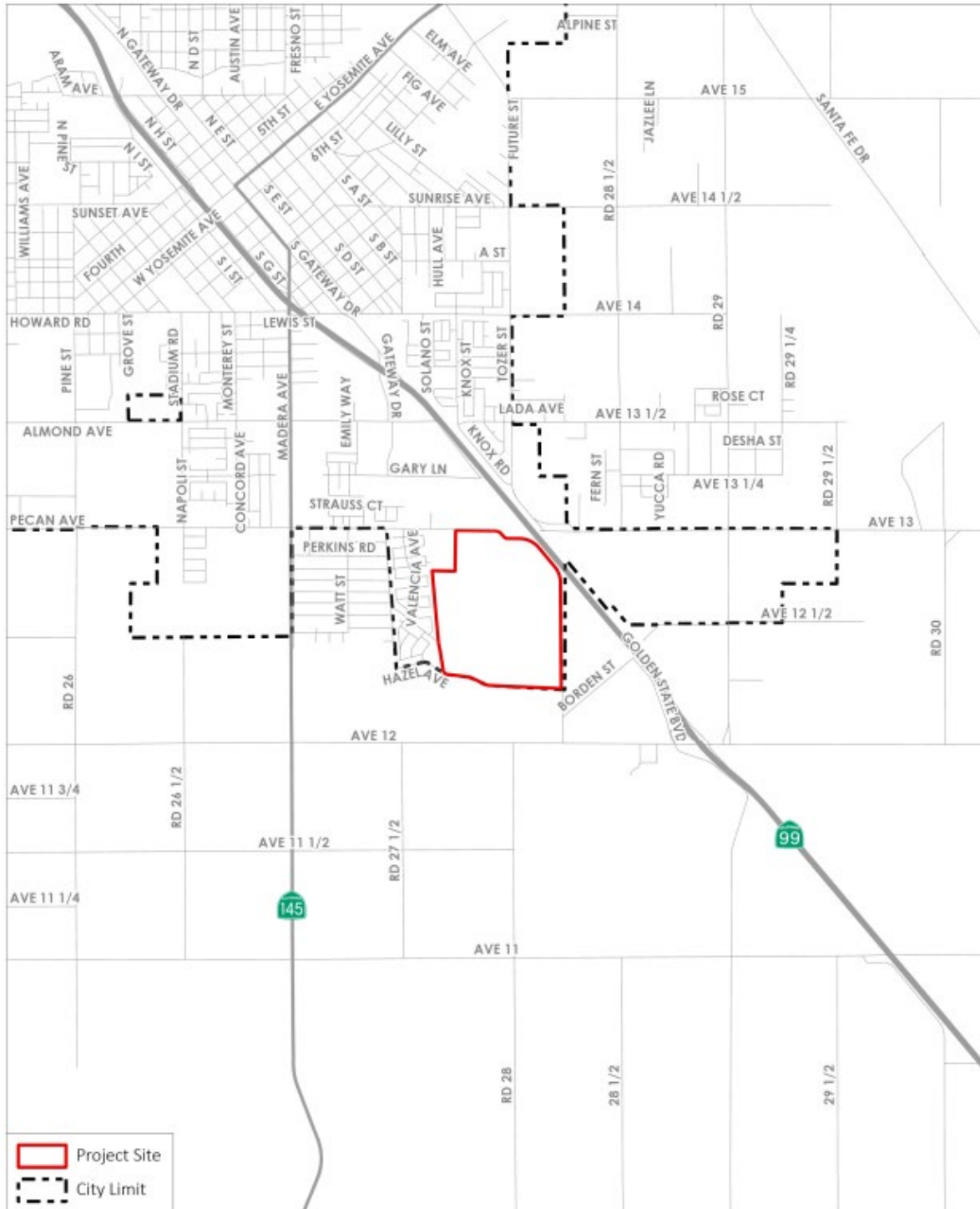
Exhibit "B" – TSM 2022-03 (Ventana I Subdivision Map)

Exhibit "C" – TSM 2022-04 (Ventana II Subdivision Map)

8. Ventana Specific Plan
9. Ventana Specific Plan EIR (Draft & Final)



ATTACHMENT 1  
Vicinity Map

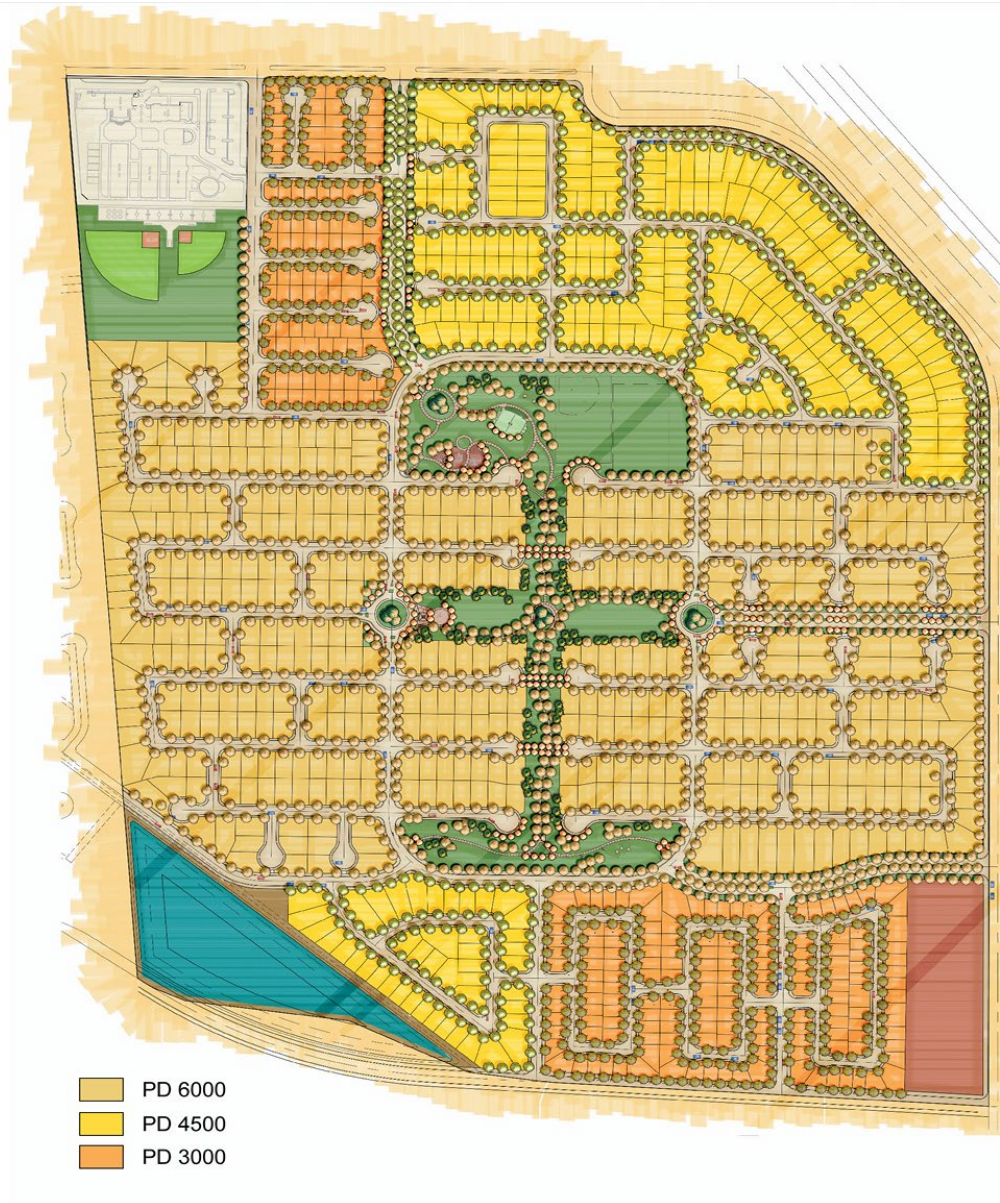


ATTACHMENT 2  
Aerial Photo



**ATTACHMENT 3**  
**Ventana Specific Plan Map**

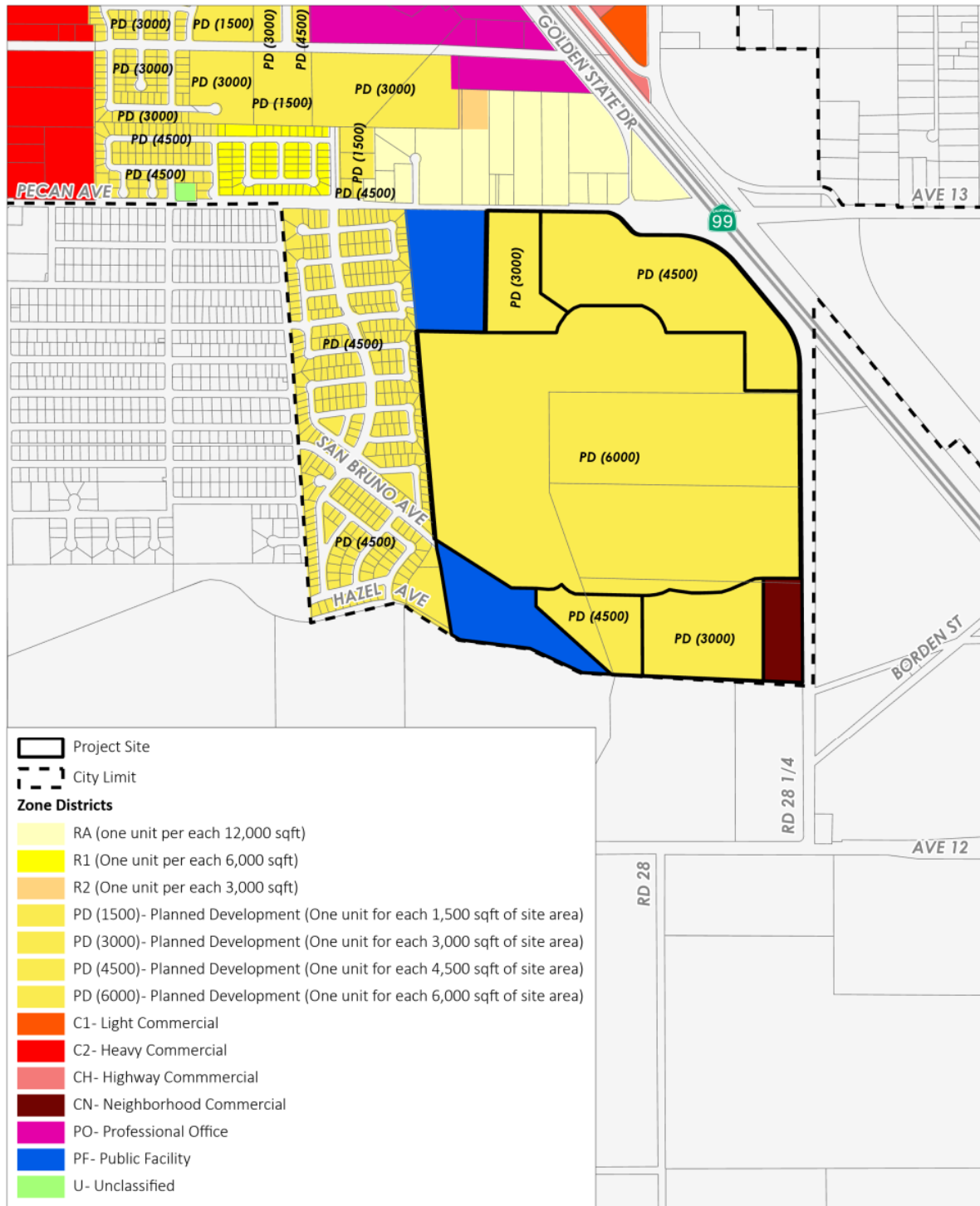




Lotting Illustrative Only

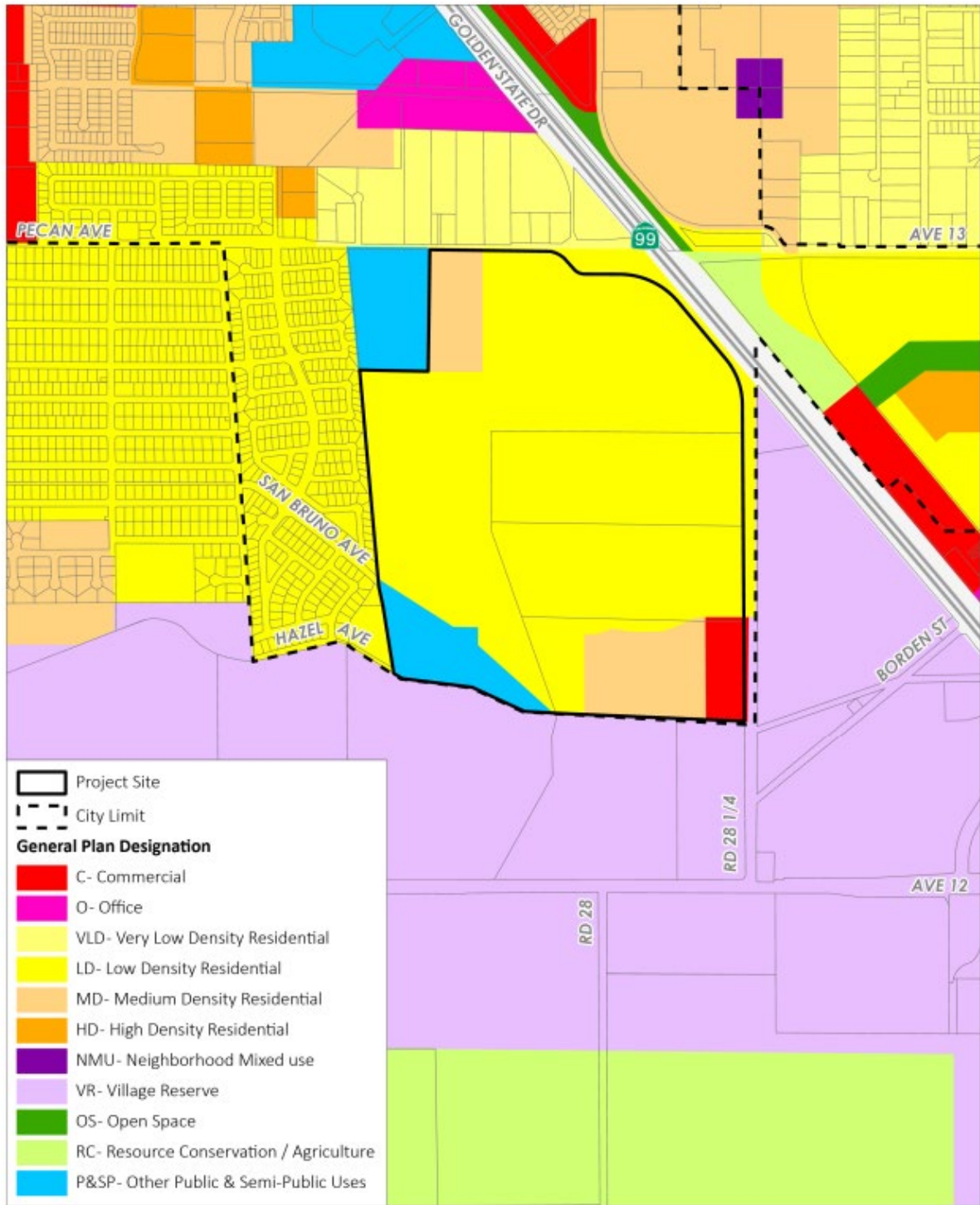
Source: O'Dell Engineering, 2006 / Quad Knopf, 2006

ATTACHMENT 4  
City Zoning





**ATTACHMENT 5**  
City General Plan



ATTACHMENT 6  
County Zoning Map



- VCO
- TV-VLDR
- TV-ST
- TV-SP
- TV-S
- TV-OSB
- TV-OS
- TV-MUN
- TV-MUCC
- TV-MDR
- TV-LI
- TV-LDR
- TV-HSC
- TV-HDR
- TV-DB
- TPZ
- SUO (Overlay)
- RUS
- RUM
- RRS-5
- RRS-3
- RRS-2 1/2
- RRS-2
- RRS-10
- RRS
- RRM
- RMS
- QMD
- POS
- PDD
- OS
- NFV-VLDR
- NFV-RR
- NFV-OSUA
- NFV-OSP
- NFV-OSN

**ATTACHMENT 7**  
Planning Commission Resolution

**RESOLUTION NO. 1970**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA  
APPROVING TENTATIVE SUBDIVISION MAP 2022-03 (VENTANA I) AND  
TENTATIVE SUBDIVISION MAP 2022-04 (VENTANA II)**

**WHEREAS**, Lak Brar (“Owner”) owns APN 012-149-002; 012-149-004; 012-149-005; and 012-149-006, in Madera, California (“site”); and

**WHEREAS**, a specific plan has been adopted for the site – Ventana Specific Plan; and

**WHEREAS**, the 237.5 acre site is an active nut orchard with a rural single-family home and several agricultural buildings located at the southeastern corner of the site; and

**WHEREAS**, the site is planned and zoned by the adopted Ventana Specific Plan consistent with the City of Madera General Plan and Zoning Ordinance; and

**WHEREAS**, the Owner is seeking approval of two tentative subdivision maps (Tentative Subdivision Map 2022-03 ((TSM 2022-03) (Ventana I) and Tentative Subdivision Map 2022-04 (TSM 2022-04) (Ventana II) covering the same area for the purpose of subdividing four parcels encompassing approximately 237.5 acres consistent with the adopted Ventana Specific Plan; and

**WHEREAS**, TSM 2022-03 proposes the creation of a 855-lot single family residential lots and 2 lots to allow up to 144 multifamily residential unit subdivision on 237.5 acres. In addition to the residential lots, TSM 2022-03 includes 3 outlots totaling 20.11 acres to be used for parks and one 8.63-acre outlot to be used as a storm drain basin as well as a 5.24-acre remainder; and

**WHEREAS**, all interior streets of TSM 2022-03 shall be public streets; and

**WHEREAS**, TSM 2022-04 proposes the creation of 19 lots ranging from 0.75 acres to 22.7 acres and a 5.24 acre remainder. In addition to the 19 lots and remainder, TSM 2022-04 identifies the park and storm basin outlots as well as individual sections of the interior streets of TSM 2022-03 as Lots A through W; and

**WHEREAS**, the City Council of the City of Madera certified an Environmental Impact Report (EIR) prepared for the Ventana Specific Plan (*Ventana Specific Plan EIR*, SCH No. 2005091149); and

**WHEREAS**, based on a preliminary environmental assessment, TSM 2022-03 and 2022-04 were determined to be consistent with the adopted Ventana Specific Plan and the Ventana Specific Plan EIR certified for the Ventana Specific Plan, and no further analysis is required as specified in CEQA Guidelines 15162; and

**WHEREAS**, under the City’s Municipal Code, the Planning Commission is authorized to review and approve tentative subdivision maps on behalf of the City; and

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

**WHEREAS**, the Planning Commission received and reviewed TSM 2022-03 and TSM 2022-04 at a duly noticed meeting on October 10, 2023; and

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

**WHEREAS**, at the October 10, 2023, public hearing, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Planning Commission; and

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

1. Recitals: The above recitals are true and correct and are incorporated herein.
2. CEQA: The Commission finds based upon its independent judgment, and after consideration of the whole of the administrative record, the project was assessed in the Ventana Specific Plan Environmental Impact Report (SCH No. 2005091149) certified on March 7, 2007; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent environmental impact report, negative declaration, or addendum is required for approval of the project.
3. Findings for TSM 2022-03: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support approval, as conditioned, Tentative Tract Map TSM 2022-03. With the conditions, the project is consistent with the requirements of the Municipal Code, including Section 10-2.402. The Planning Commission further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:

- a. *The proposed subdivision is consistent with the General Plan and specific plans.*

The Tentative Subdivision Map remains consistent and compatible with the City's General Plan land use designations and is consistent and compatible with the City's Ventana Specific Plan for the subject site and surroundings. The procedural requirements of the Subdivision Map Act have been met, and all parcels comply with the Specific Plan, including all applicable Specific Plan, General Plan, engineering, and zoning standards pertaining to grading, drainage, utility connections, lot size and density. In this regard, the design and improvements of the subdivision, subject to the conditions of approval, will be consistent with the requirements and improvement standards of the City of Madera.

- b. *The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.*

The proposed subdivision in the context of the surrounding property existing conditions and uses are consistent with the General Plan and Specific Plan. The project, with the approval of the minor amendment from that previously approved, will remain consistent with the General Plan, Specific Plan, City's Zoning Ordinance subject to condition of approval.

- c. *The site is physically suitable for the type of development.*

Adequate service capacity is available to service the subject site.

- d. *The site is physically suitable for the proposed density of development.*

The certified EIR is sufficient and pursuant to State CEQA Guidelines Section 15162, which identifies the requirements for which subsequent analysis is required, no further environmental review is required.

- e: The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

4. Findings for TSM 2022-04: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support approval, as conditioned. With the conditions, the project is consistent with the requirements of the Municipal Code, including Section 10-2.402. The Planning Commission further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:

- a. The proposed subdivision is consistent with the General Plan and specific plans.*

The Tentative Subdivision Map remains consistent and compatible with the City's General Plan land use designations and is consistent and compatible with the City's Ventana Specific Plan for the subject site and surroundings. The procedural requirements of the Subdivision Map Act have been met, and all parcels comply with the Specific Plan, including all applicable Specific Plan, General Plan, engineering, and zoning standards pertaining to grading, drainage, utility connections, lot size and density. In this regard, the design and improvements of the subdivision, subject to the conditions of approval, will be consistent with the requirements and improvement standards of the City of Madera.

- b. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.*

The proposed subdivision in the context of the surrounding property existing conditions and uses are consistent with the General Plan and Specific Plan. The project, with the approval of the minor amendment from that previously approved, will remain consistent with the General Plan, Specific Plan, City's Zoning Ordinance subject to condition of approval.

- c. The site is physically suitable for the type of development.*

Adequate service capacity is available to service the subject site.

- d. The site is physically suitable for the proposed density of development.*

The certified EIR is sufficient and pursuant to State CEQA Guidelines Section 15162, which identifies the requirements for which subsequent analysis is required, no further environmental review is required.



e: *The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

5. Approval of TSM 2022-03 and TSM 2022-04: Given that all findings can be made, the Planning Commission hereby approves TSM 2022-03 and TSM 2022-04 as conditioned as set forth in the Conditions of Approval attached as Exhibit "A."
6. Effective Date: This resolution is effective immediately.

\* \* \* \* \*

Passed and adopted by the Planning Commission of the City of Madera this 10th day of October 2023, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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Robert Gran Jr.  
Planning Commission Chairperson

Attest:

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Gary Conte, AICP  
Planning Manager

EXHIBIT "A" Conditions of Approval  
EXHIBIT "B" TSM 2022-03 (Ventana I Subdivision Map)  
EXHIBIT "C" TSM 2023-04 (Ventana II Subdivision Map)

**EXHIBIT “A”**  
**TSM 2022-03 (VENTANA I) & TSM 2022-04 (VENTANA II)**  
**CONDITIONS OF APPROVAL**  
**OCTOBER 10, 2023**

**Notice to Applicant**

Pursuant to Government Codes Section 66020(d)(1) and/or Section 66499.37, any protest related to the imposition of fees, dedications, reservations, or exactions for this project, or any proceedings undertaken regarding the City’s actions taken or determinations made regarding the project, including but not limited to validity of conditions of approval must occur within ninety (90) calendar days after the date of decision. 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 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 for TSM 2022-03 and 2022-04 will ultimately be deemed final unless appealed by the applicant to the City Council within fifteen (15) days after the decision by the Planning Commission. In the event you wish to appeal the Planning Commission’s decision, you may do so by filing a written appeal with the City Clerk. The appeal shall state the grounds for the appeal and wherein the Commission failed to conform to the requirements of the ordinance. This should include identification of the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld.

These conditions are applicable to any person or entity making use of the tentative subdivision maps, and references to “developer” or “applicant” herein also include any applicant, property owner, owner, lessee, operator, or any other person or entity making use of this tentative subdivision maps.

**General Conditions**

1. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specifically noted in the conditions or mandated by statutes.
2. The applicant shall comply with all mitigation measures required by the Final Environmental Impact Report certified for the Ventana Specific Plan.
3. TSM 2022-03 and 2022-04 shall each be valid for a period of 24 months from the date of its conditional approval. Prior to expiration of either conditionally approved tentative map, an extension or extensions to this period may be requested pursuant to Section 66453.3 of the Subdivision Map Act.

4. Any minor deviation from the approved map or any condition contained herein shall require prior written request by the applicant and approval by the Planning Manager.
5. It shall be the responsibility of the property owner, operator, and/or management to ensure that any required permits, inspections, and approvals from any regulatory agency be obtained from the applicable agency prior to issuance of a building permit and/or the issuance of a certificate of completion, as determined appropriate by the City of Madera Planning Department.
6. Approval of this project is for the benefit of the applicant. The submittal of applications by the applicant for this project was a voluntary act on the part of the applicant not required by the City. Therefore, as a condition of approval of this project, the applicant agrees to defend, indemnify, and hold harmless the City of Madera and its agents, officers, consultants, independent contractors, and employees ("City") from any and all claims, actions, or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the project, including any challenges to associated environmental review, and for any and all costs, attorneys fees, and damages arising therefrom (collectively "claim").

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

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

#### **Planning Department**

7. Any minor deviation from the approved TSM 2022-03 or TSM 2022-04 map or any condition contained herein shall require prior written request by the applicant and approval by the Planning Manager.
8. All modifications not considered minor changes in accordance with Section 10-2.402.9 (Amendments to Approved Subdivisions) shall require an amendment, as applicable to TSM 2022-03 and / or TSM 2022-04.
9. TSM 2022-03 and TSM 2022-04 shall comply with all mitigation measures outlined in the in the Mitigation and Monitoring and Reporting Program, dated January 2007 and included as Section Five of the Ventana Specific Plan Final Environmental Impact Report.
10. TSM 2022-03 and TSM 2022-04 shall be subject to all requirements, policies, and conditions of the Ventana Specific Plan.
11. All landscape plans for improvements within public right-of-ways shall be signed and stamped by a licensed landscape architect.
12. Applicant shall coordinate with the United State Postal Service relative to the location of postal boxes for the project. In regard to this item, all adjacent sidewalks shall retain a minimum clear walkway width of five (5) feet.

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

#### **Street Names**

16. Internal street names shall comply with the recommendations of the Planning Department with the approval of the Final Map.

#### **Access Restrictions**

17. Direct residential access to East Pecan Avenue, Road 28 ¼ and Hazel Avenue shall be prohibited and shall be noted on the final map.
18. There shall be no access to lots from the street side of corner lots or street rear of double frontage lots.

#### **Fences and Walls**

19. A six (6) foot high decorative split face masonry block wall with capstone and stone columns with capstone shall be developed within the subdivision as follows:
  - a. Along the rear property lines of lots abutting East Pecan Avenue, Road 28 ¼, and Hazel Avenue.
  - b. Along the street side yard of corner lots which is extending from the rear property line subject to a masonry block wall to the front yard setback line.
  - c. Masonry block wall stone columns shall be provided at minimum interval of 64 feet on center along the length of the wall, at all locations where the wall changes direction, and at the terminus of the wall.

All walls proposed on property located in the side yard shall be six (6) feet tall along the side property line. In addition, when the wall is located with the front yard setback, the height of the wall shall be decreased to 2.5 feet. The height of any block wall shall be measured from the base of the wall visible to the public. No masonry block wall shall exceed a height of six (6) feet.

20. Any retaining wall shall be split faced masonry block.
21. Except as provided in the above condition, six (6) foot tall wooden fencing shall be provided along all side and rear yards.
22. Street side yard fencing shall be setback no less than five (5) feet.
23. Residential fencing shall have a gate that allows for easy access by waste containers provided by the City. The width of the gate shall be a minimum of 36 inches. The path of travel between the area set aside for waste containers and driveway shall be a minimum of 36 inches and not obstructed by utilities or mechanical equipment or hardware.

### **Precise Plan**

24. Prior to the commencement of any grading, construction improvements or development activity in any "PD" Zone District, the applicant shall have an approved Precise Plan. The precise plan shall be processed under the provisions for use permits as set forth in Section 10-3.13 of the Madera Municipal Code.

### **Building Department**

25. A building permit is required for all construction on the site.

### **Fire Department**

26. All subdivision development shall be provided with a minimum of two points of access for emergency vehicles, prior to issuance of occupancy.
27. Prior to any on-site framing, fire hydrants or other acceptable fire suppression equipment shall be provided at the streets and shall comply with the City of Madera Engineering standards and the California Uniform Fire Code.
28. All homes shall be equipped with residential fire sprinklers.
29. The fire hydrant system shall comply with appendices B&C of the California Fire Code and the City of Madera Standards.

### **Engineering Department**

#### **General**

30. Deferrals are not permitted for any condition included herein, unless otherwise stated.
31. Prior to recording of any final map, all action necessary for the formation of a community facilities district shall have been taken, and all property included in said subdivision shall be made a part of such district and subject to its taxes.
32. A final subdivision map shall be required per Section 10-2.502 of the municipal code. TSM 2022-04 shall not be a phased map and must be recorded in advance of TSM 2022-03, or any phase of TSM 2022-03. If TSM 2022-03 is phased, the phasing pattern is subject to approval by the City Engineer to ensure that the applicable conditions of approval are satisfied. At a minimum, full street (both sides) and utility improvements shall be constructed on all boundaries to a phase in addition to all other improvements detailed within these conditions that are required to be constructed as part of any first phase of construction.
33. All lots are to be numbered in sequence throughout the entire subdivision, including all phases, with the last lot in each phase circled for identification. As an alternative, subject to the approval of the City Engineer, lots may be numbered in sequence within blocks that are also separately identified. A consecutive subdivision name and a consecutive phase number shall identify multiple final maps filed in accordance with an approved tentative map.
34. A benchmark shall be established per City Standards and related data shall be submitted to the Engineering Department prior to acceptance of the subdivision improvements. The City Engineer shall designate the location, or the project engineer shall make a recommendation for the designated location.

35. All construction vehicles shall access construction sites by a route approved by the City Engineer, which will minimize potential damage to other streets and disruption to the neighborhood. A construction route and traffic control plan to reduce impact on the traveling public shall be approved prior to any site construction or initiation of work within a public right-of-way.
36. Nuisance onsite lighting shall be redirected as requested by City Engineer within 48 hours of notification.
37. Development impact fees shall be paid at the time of building permit issuance.
38. Improvement plans sealed by an engineer shall be submitted to the Engineering Division according to the Engineering Plan Review Submittal Sheet and Civil Plan Submittal Checklist.
39. Developer shall pay all required fees for processing subdivision map and completion of project. Fees due include but shall not be limited to the following: subdivision map review and processing fee, plan review, map recording, easement acceptance, and improvement inspection fees.
40. Improvements within the City right-of-way require an Encroachment Permit from the Engineering Division.
41. The improvement plans for the project, or any phases thereof, shall include the most recent version of the City's General Notes at the time the project or phase is expected to commence construction.
42. Park land, as shown in TSM 2022-03 and TSM 2022-04, and as may be identified elsewhere in these conditions, shall be dedicated to the City in advance of, or in conjunction with, recordation of the first final subdivision map.
43. Madera Irrigation District (MID) canal/pipeline on Hazel Avenue shall be placed underground or vacated as directed by MID. Comments from MID shall accompany first engineering plan submittals.
44. The developer shall comply with the Federal Emergency Management Agency (FEMA) requirements, as may be applicable. Proposed improvements shall account for the areas of the TSM which lie within the boundaries of FEMA Special Flood Hazard Area, Zone AO, as may be applicable.
45. The development is subject to the development standards of the Ventana Specific Plan, including any documents associated with it, as may be applicable. Improvements shall be constructed as detailed and within the time frame identified.
46. Development shall occur in a stepwise manner, moving outward from existing infrastructure. Geographically remote development (leapfrog development) of the TSM shall construct all master-planned infrastructure necessary (permanent full street width, water, sewer, storm drain, etc.) to provide adequate services from the nearest logical connection point.

#### **Water**

47. The water system shall be designed for the Ventana subdivision as a whole and for each proposed phase to meet the required fire flow for this type of development. The water system shall be

approved by the Fire Department and shall be operational prior to any framing construction on-site. Fire flows shall be determined by Uniform Fire Code appendix III-A. Copies of the water system analysis shall be reviewed and approved by the City Engineering Division and Fire Marshall. The construction of an additional water well, or wells, may be necessary to ensure redundancy and adequate fire flow in accordance with the Specific Plan.

48. Prior to commencement of any phase of development, developer shall construct and/or verify the completion of a 12-inch water main along Pecan Avenue from its current termination point at Parkwood Elementary School to the eastern property line of the proposed project site. The water main shall be constructed to current City standards.
49. Prior to commencement of any phase of development adjacent to Road 28 1/4, developer shall construct a 12-inch water main along Road 28 ¼ from Pecan Avenue to the southerly limits of the phase. The water main shall be looped through the phase to provide a redundant water source to that phase. Water line construction shall proceed in this manner with each new phase until such time as the improvements extend to and connect into Hazel Avenue. Water main shall be constructed to current City standards.
50. Developer shall construct a 12-inch water main along the entirety of Hazel Avenue from Road 28 ¼ and connect to existing water main from adjacent subdivision to the west at such time as the first phase is constructed adjacent to Hazel Avenue or at such time as a secondary connection is required to maintain domestic and fire flow demands. The water main shall be looped through the phase to provide a redundant water source to that phase. The water main shall be constructed to current City standards.
51. The oversize component (difference in cost between 12-inch and 8-inch pipe) of the construction of these lines is considered reimbursable, subject to availability of funds, under the City's Development Impact Fee Program.
52. Half of the 8-inch component is reimbursable from adjacent properties to the Ventana Specific Plan as they develop and connect.
53. Unless the City Engineer or fire flow analysis specifies larger lines, water lines, a minimum of 8 inches in diameter shall be installed in all streets. Water main installation shall be per City of Madera installation procedures and guidelines. Any new water main or fire hydrant line installations of 18 feet or more shall be sterilized in accordance with the water main connection procedures, including the temporary use of a reduced pressure assembly. Water service connections are required to be hot tap type connection to existing city main. If the subdivision is constructed in phases, blow-offs will be required at each termination point. All water system bacterial analysis testing costs shall be paid by the Developer. If additional testing is requested by the City, testing costs shall be paid by the developer or the cost shall be reimbursed to the City prior to approval of any units for final occupancy.
54. Pecan Avenue and Road 28 ¼ intersection requires installation of 12-inch cross with four (4) 12-inch valves and two stub outs, north past north right-of-way line and east approximately 40 feet. Crosses or tees will be installed at other locations as may be necessary for future expansion of the water system as identified by the City Engineer.

55. Each phase of development requires in-line valve installation and blow-off assembly to be installed at terminus point of water line for future continuation of each water main.
56. Each phase of development shall have a looped water system; two points of connection to existing mains outside of phase being developed.
57. Prior to commencement of any phase of development, developer shall commence construction of a new water well and all associated improvements, both on and off-site on a lot measuring a minimum of 150 feet by 150 feet, within the project site or within the vicinity of the project site but as far geographically as possible from Well #33 and shall be fully operational before approval of the first occupancy permit. The well site shall either be dedicated as part of the first tentative map or by separate instrument dependent on final location of the well site. The cost of the municipal well is considered reimbursable through the City's Development Impact Fee Program, subject to availability of funds.
58. A second water well may or may not be required dependent of the production rate of the first water well. That determination will be made by the City Engineer as a result of factors that include production capacity of the new well and the existing City water system capacity at the time of such review.
59. Prior to beginning any framing construction, approved fire hydrants shall be installed in accordance with spacing requirements for residential development (400 feet). A copy of the preliminary water and hydrant location plan shall be provided to the City Engineer and the fire protection planning officer for review and approval. Fire hydrants shall be constructed in accordance with City Standard W-26. Fire hydrant pavement markers shall be installed as soon as the permanent pavement has been installed.
60. As part of typical subdivision requirements, water services shall be placed 3 feet from either property line, opposite of streetlight and fire hydrant installations, installed and tested at the time the water main is installed, and identified on the curb face. Water meters shall not be located within driveway approaches or sidewalk areas. Water services shall not be located at fire hydrant or street light locations.
61. One water quality sampling station, or additional as may be determined necessary by the Public Works Department, shall be shown on the improvement plans for each subdivision and installed within each corresponding subdivision and approved by the water quality division of the Public Works Department.
62. Prior to commencement of grading or excavation on site, all water sources used for construction activities shall have an approved back-flow device installed. All water trucks/storage tanks will be inspected for proper air gaps or back-flow prevention devices.
63. Water service connection(s) shall be shown on the improvement plans for each phase and shall be constructed to current City standards in effect at time of construction including Automatic Meter Reading (AMR) water meters installed within City right-of-way. Backflow prevention devices shall be required for any water service not serving a residence and installed within private property.



64. Water connections not serving a residence shall be constructed per current City standards including water meters located in the City's right-of-way and backflow prevention device installed within private property.
65. Existing wells if any shall be abandoned as directed and permitted by City of Madera for compliance with state standards, prior to issuance of building permits or any activities in which the well to be abandoned may be further damaged resulting in potential contamination to the aquifer below.
66. Developer shall reimburse its fair share cost to the city for previously constructed water main along the Parkwood entry street project frontage.
67. Water meters shall be installed, and account activated through the City's Utility Billing Department prior to construction activities commencing on individual dwelling units.

### **Sewer**

68. The existing sewer system that serves this section of the City is approaching capacity due to constricted sections of the sewer system on Pecan Avenue. Only an approximate one-third (1/3) of the subdivision or approximately 329 units within the northern portion of Tentative Subdivision Map 2022-03 or 2022-04 will be permitted to discharge sewer effluent into the Pecan main contingent upon design and construction by the developer of the following master plan improvements prior to the commencement of any phase:
  - a. A parallel 18-inch sewer main in Pecan Avenue from Watt Street to Conrad Street
  - b. A parallel 18-inch sewer main in Pecan Avenue from Madera Avenue to approximately Seneca Drive
  - c. A parallel 18-inch sewer main on Pecan Avenue from Raymond Thomas to Watt Street

The construction of these lines is considered 100% reimbursable, subject to availability of funds, under the City's Development Impact Fee Program.
69. The remainder two-third (2/3) of the subdivision within the southern portion of TSM 2022-03 or 2022-04 shall discharge sewer into the future master planned sewer main improvements on Hazel Avenue, Road 12 ½ and Road 25. The Developer shall design and construct the following improvements:
  - a. 42-inch sewer main on Hazel Avenue/Burges Road from Road 28 ¼ to SR 145
  - b. 42-inch sewer main on SR 145 from Burges Road to Avenue 12 ½
  - c. 42-inch sewer main on Avenue 12 ½ from SR 145 to Road 25 (Granada Drive)
  - d. 42-inch sewer main on Road 25 (Granada Drive) from Avenue 12 ½ to Pecan Avenue across the railroad tracks

The oversize component (difference in cost between 42-inch and 8-inch pipe) of the construction of these mains is considered reimbursable, subject to availability of funds, under the City's Development Impact Fee Program.

Half of the 8-inch component reimbursable from adjacent properties as they develop and connect.

The Developer shall secure all required easements, acquisitions of right-of-way, fees and all other components required for the installation of a fully functional sewer main capable of servicing this project and all other developable areas identified in the Sanitary Sewer Master Plan.

The sewer mains shall be installed at the depth and slope necessary to serve the areas delineated within the Sewer System Master Plan. Calculations shall be provided supporting the final design. Said analysis shall make use of the Sanitary Sewer Master Plan and various inputs (number of units, pipe slopes, etc.) utilized in sizing the pipeline. Said analysis shall also illustrate that future extensions of the sewer trunk main to the east side of the City will not be negatively affected by the selection of pipe depths or slopes required to be constructed by this project.

There are a number of development proposals at any given time. As such, the developer may wish to partner with other developments to share in costs.

70. All sewer mains shall be constructed per City standards and specifications current as of the time they are designed and constructed.
71. Sewer lines installed to serve this subdivision shall be sized accordingly and shall be a minimum of 8 inches in diameter or as required per the pipe size calculations. Sewer main connections to any existing city main that are 6 inches or larger in diameter shall require the installation of a manhole. All sewer mains shall be air-tested, mandrelled and videotaped after the trench compaction has been approved and prior to paving. USB flash drives shall be submitted to the City Engineer and be approved prior to paving with all costs to be borne by the sub-divider.
72. Sewer services shall be located at the approximate centerline of each lot or as required for construction of commercial or industrial buildings with a clean-out installed per City Standards and identified on the curb face. Termination of service shall be 10 feet past the property line. Where contiguous sidewalks are installed, the 4-inch-sewer clean out shall be located 18 inches back of sidewalk in a dedicated public utility easement. Sewer clean-outs shall not be located within sidewalk or approach areas unless approved by the City Engineer. Sewer services shall be installed 10 feet beyond the property lines as a part of the sewer system installation for testing purposes.
73. Calculations for sanitary sewer pipe size design of all proposed sewer mains as a whole and for each proposed phase being developed, shall be submitted with first improvement plan submittal. Copies of the sewer system calculations shall be reviewed and approved by the City Engineering Division.
74. Prior to recording the first final map, the developer shall reimburse City for half the cost of the 8-inch component of previously installed sewer mains on Pecan Avenue.

75. Existing septic tanks, if found, shall be removed, permitted, and inspected by City of Madera Building Department.

### **Storm Drain**

76. Storm runoff from this development is planned to go to the Hazel basin located to the southwest of the proposed project site. Prior to commencement of any phase of development, the developer shall expand the limits of the existing basin to accommodate the entirety of the TSMs and other tributary areas outside the subdivision mapping and/or may be identified in the Storm Drainage Master Plan. Said expansion shall include dedication of the property and construction of the fence line. Basin excavation shall occur in no more than two phases. Construction of basin improvement (pipe, outfalls, etc.) may occur in phases associated with the requirements of each phase.
77. A detailed drainage study shall be provided that depicts recommended storm drainage conveyance and storage improvements within the boundaries of the TSM. The drainage study shall, through detailed engineering calculations and/or modeling consistent with the City's Storm Drainage Master Plan and City standards, support the design of said facilities to be constructed by the developer.
78. The developer shall construct full storm drain improvements as depicted in the drainage study between the phase under construction and the basin.
79. Property for expansion of the existing basin shall be dedicated as part of the first phase of any development. The basin shall be complete prior to first anticipated rainfall event in which storm runoff will occur. The Project Storm Water Pollution Prevention Plan (SWPPP) may serve to further dictate basin needs and timing.
80. Temporary basins will not be allowed.
81. Rear yards along basin fencing shall require cyclone fence and wood fence to be installed.
82. The project shall, as applicable, comply with the design criteria as listed on the National Pollutant Elimination Systems (NPDES) General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer System (MS4's) as mandated by Water Quality Order No. 2013-0001-DWQ, NPDES General Permit No. CAS000004. For the purpose of this proposed development, post development runoff shall match or be less than pre-development runoff. The development shall enter into a covenant with the City that allows for future inspections by City or other designated agencies relative to the improvements installed as a result of this condition to ensure they remain in compliance with the conditions imposed under this condition.
83. Prior to the approval of the civil improvement plans, a storm water pollution plan shall be prepared, and a storm water permit obtained as required by the State Regional Water Quality Control Board for developments of over one acre in size. A plan and a copy of the permit and report shall be submitted to the Engineering division prior to issuance of any encroachment permits of plan approvals.

## **Streets**

84. The developer shall construct street improvements in accordance with the locations and cross-sections specified in the Specific Plan to the extent necessary to provide access to each phase, including but not limited to permanent paving, sidewalk, curb and gutter, park strip, streetlights, fire hydrants and all other components necessary to complete construction in accordance with City standards in effect at time of construction, prior to acceptance of improvements by the City.
85. All streets identified in the Specific Plan shall be constructed to the cross section delineated therein. Where not specifically identified, those streets shall be constructed in accordance with arterial and collector standards in effect at the time of construction.
86. Prior to commencement of any phase of development within either of the TSMs, Pecan Avenue shall be developed to a 100-foot street with a 14-foot sidewalk pattern and a 16-foot landscape median across the frontage of the subdivision. The south half shall include but not be limited to fire hydrants, streetlights, curb and gutter, sidewalk. The north side shall include one permanently paved 12-foot lane and 8-foot shoulder. Asphalt curbing may be considered permissible if existing right-of-way precludes the ability to install an 8-foot shoulder. Adequate pedestrian accessibility, similar to existing or better, shall be maintained on the north side of Pecan Avenue. Adequate transition with the existing improvements relative to grade and alignment shall be provided. All improvements shall be constructed per current City standards. The center three lanes, which include the median island, are eligible for reimbursement through the City's Impact Fee program, subject to funds being available.
87. All existing driveways located along the north side of Pecan Avenue fronting the subdivision shall be paved with asphalt or concrete apron a minimum of 6 feet from the edge of the paved shoulder subject to maximum reasonable approach slopes to match existing driveways. All improvements should fully account for existing drainage and new drainage needs as part of the design.
88. Temporary pavement shall be constructed to provide for two-way traffic during all phases of construction along Pecan Avenue.
89. Prior to commencement of any phase of development immediately adjacent to Road 28 ¼, Road 28 ¼ shall be developed to a 100-foot street, in accordance with the Specific Plan, adjacent to the project or phase to be constructed. In all cases, Road 28 ¼ shall be fully constructed between the phase under consideration and Pecan Avenue. West half shall include but not be limited to curb and gutter, sidewalk, park strip, streetlights, fire hydrants, a 26-foot paved asphalt section and 16-foot landscaped median island. East side shall include but not be limited to one permanently paved 12-foot travel lane, a paved 8-foot shoulder and drainage swale; or one 12-foot travel lane and a combination of shoulder/AC dike and drain inlets as may be necessary to accommodate existing and completed project storm runoff. All improvements shall be constructed per current City standards. The center three lanes (40-foot total), including the median island, are eligible for reimbursement through the City's Development Impact Fee Program, subject to the availability of funds. Adequate transition with the existing improvements relative to grade and alignment shall be provided with each successive extension of Road 28 ¼.
90. Prior to commencement of any phase of development adjacent to Hazel Avenue or using Hazel Avenue as a circulation route, Hazel Avenue shall be developed to an 80-foot street with a 10-foot sidewalk pattern. North half shall include but not be limited to curb and gutter, sidewalk,

streetlights, fire hydrants. The South side shall include but not be limited to a full 16-foot lane and edge swale graded for drainage storage as required. All improvements shall be constructed per current City standards. The center three lanes are eligible for reimbursement through the City's Impact Fee Program, subject to funds being available. Adequate transition with the existing improvements relative to grade and alignment shall be provided with each successive extension of Hazel Avenue.

91. Park strip and median island on Pecan Avenue and park strips on Road 28 ¼ and Hazel Avenue shall be landscaped and provided with an automatic irrigation system. A minimum of one city approved street tree every 50 feet shall be provided, along with root guards. No trees shall be planted within 30 feet of any streetlight, or 5 feet from any fire hydrant. Each street tree shall be planted with a city approved root barrier. Detailed landscaping, irrigation, and maintenance plans shall be submitted with the first public improvement plans.
92. Direct residential access to Pecan Avenue, Hazel Avenue and Road 28 ¼ other than those access point approved on the TSMs shall be prohibited and shall be noted on the final map.
93. Deceleration and acceleration lanes shall be constructed at the main entrance to the subdivision along Pecan Avenue in accordance with the traffic study. An east bound right turn lane shall be constructed at Road 28 ¼.
94. A traffic signal shall be constructed at the intersection of Pecan Avenue and Golden State Boulevard prior to the anticipated time at which traffic signal warrants will be met. Regardless of whether warrants are met prior to the first phase, the developer shall provide the complete signal design and construct all underground improvements and pole foundations with the construction of Pecan Avenue improvements. The intersection shall be widened along all 4 approaches to include left turn lanes in all four directions. This traffic signal shall be interconnected with the traffic signal to be constructed at the main entrance into the subdivision. This improvement is considered reimbursable, subject to availability of funds, under the City's Development Impact Fee Program.
95. A traffic signal shall be constructed at the intersection of Pecan and the main entrance into the subdivision prior to the anticipated time at which traffic signal warrants will be met. Regardless of whether warrants are met prior to the first phase, the developer shall provide the complete signal design and construct all underground improvements and pole foundations with the construction of Pecan Avenue improvements. Should the traffic signal not be warranted prior to the last phase, the developer shall provide a cash payment for the remaining traffic signal improvements with adequate contingency to accommodate 5 years of cost escalations as this location is not eligible for impact fee reimbursements.
96. A traffic signal shall be constructed at the intersection of Avenue 12 and Road 28 ¼ prior to the anticipated time at which traffic signal warrants will be met. The intersection shall be widened to include auxiliary left turn lanes in accordance with the traffic study. This traffic signal shall be interconnected with the traffic signals at Avenue 12 and SR 99. The extent of the traffic signal improvements shall be determined by the County of Madera.
97. In satisfaction of the prior three conditions, the developer shall prepare traffic signal warrants prior to submittal of off-site improvement drawings for the first phase and all subsequent phases that support the determination as to whether a traffic signal design shall be completed with the

intent of constructing as part of the off-site drawings for said phase. Warrants shall incorporate recently collected turning movement counts by the developer at the subject location along with projections of the additional traffic from the subdivision phase under consideration,

98. An access plan shall be developed for commercial site lot at such time as development occurs. The access plan shall be approved by the City Engineer. Driveway spacing shall be situated such that a minimum of 400 feet of spacing is provided.
99. The developer shall implement mitigation measures and contribute its fair share to the cost of the improvements as outlined in the traffic study for Ventana subdivision prepared by KD Anderson Transportation Engineers unless already completed as part of another development or public agency project. For those projects that have been completed, the requirement to participate on a fair share basis shall not be waived except under the direct approval of the agency or entity that constructed said improvements. As the traffic study did not prepare fair share calculations, the Developer shall prepare said calculations. Fair share payments shall be made on a per peak hour trip basis. Fair share payments shall be made prior to approval of any final map.
100. Developer shall dedicate sufficient right-of-way along the entirety of the parcel's frontage on Pecan Avenue to provide an ultimate right-of-way width of 100 feet to accommodate an arterial standard roadway.
101. Developer shall dedicate sufficient right-of-way along the entirety of the parcel's frontage on Road 28 ¼ to provide an ultimate right-of-way width of 100 feet to accommodate an arterial standard roadway.
102. Developer shall dedicate sufficient right-of-way along the entirety of the parcel's frontage on Hazel Avenue to provide an ultimate right-of-way width of 80 feet to accommodate a collector standard roadway.
103. Interior streets shall be constructed in accordance with the Ventana Specific Plan prepared by Quad Knopf which includes:
  - a. 100-foot residential project entryway
  - b. 65-foot loop road
  - c. 60-foot minor streets
  - d. 50-foot residential streets

Interior streets shall be constructed to include curb, gutter, sidewalk, curb ramps, streetlights, fire hydrants, and all other components necessary to complete said construction per City Standards.

104. An approved on-site or off-site turn-around shall be provided at the end of each stub-out or roadway 150 feet or more in length pursuant to the uniform fire code. Cul-de-sacs shall be no longer than 450 feet. Any off-site turn-around shall have a maintenance covenant and easement recorded prior to recording of final map. The developer is responsible for all fees associated with the approval of all documents.

105. Developer shall be a proponent of annexing into existing Landscape Maintenance District Zone 31A or 31B to include the median island and landscape improvements. If the expansion of the existing Landscape Maintenance District Zone 31A or 31B is not attainable, the developer shall at their sole expense form a Lighting and Landscape Maintenance District zone for the street median landscaping and landscaping adjacent to subdivision along park strip. The sub-divider shall sign and submit a landscape district formation and inclusion form, an engineer's report and map prior to recording any final map.
106. Prior to the approval of any final maps, the developer shall submit a cash deposit in an amount sufficient to maintain lighting and landscaping within the required Lighting and Landscape Maintenance District zone" LLMD" zone of benefit for a period of one year. The specific amount of the deposit shall be determined by the City Engineer and be established based on landscape plans approved by the Parks and Community Services Department and the Engineer's Report for the required improvements. The deposit will be used to maintain landscaping improvements existing and new improvement which are required to be constructed by the developer and included in the City-wide LLMD, after the improvements for the subdivision have been approved but before any revenues are generated by the assessment district to pay for the maintenance of the landscape. Any funds deposited by the developer and not needed by the Parks Department for maintenance of eligible landscaping shall be refunded to the developer.
107. "No Parking" signs shall be installed along Pecan Avenue, Road 28 ¼ and Hazel Avenue frontages per City standards.
108. Traffic calming features, as approved by the City Engineer, shall be implemented throughout the interior subdivision streets. The maximum distance between calming devices shall be 300 feet. Speed bumps or humps are not permitted.
109. Access ramps shall be installed at all curb returns per current City Standards.
110. Driveway approaches shall be constructed per current City standards.
111. The developer shall be required to install streetlights along Pecan Avenue, Road 28 ¼ and Hazel Avenue frontage and interior subdivision streets in accordance with current City spacing standards. Streetlights shall be LED using Beta Lighting standards or equal in accordance with City of Madera standards.
112. Except for streets not having direct residential access, installation of sidewalks and approaches may be deferred and constructed at the builder's expense with residential development after the acceptance of the subdivision improvements. Each dwelling shall at occupancy have full, uninterrupted ADA access from front door to nearest collector street, arterial street or other street that provides ADA access provisions. Provisions for construction in conjunction with building permits shall be established as a part of the improvement plan approval and subdivision agreement, and bonding for uncompleted work in conjunction with the subdivision's public improvements will not be required.
113. If development occurs in phases, each phase shall have two (2) points of vehicular access within a recorded easement for fire and other emergency equipment and for routes of escape which will safely handle evacuations as required by emergency services personnel. An all-weather access road shall be two inches of type "B" asphalt over 6 inches of 90% compacted native soil or 4 inches

of Class II aggregate base capable of withstanding 40,000 pounds of loading. A maintenance covenant and easement along with associated fees shall be recorded prior to recording the final map for any phased development.

114. Improvement plans prepared in accordance with City Standards by a registered civil engineer shall be submitted to the City Engineer for review and approval on 24" x 36" tracing with city of Madera logo on bottom right corner. The cover sheet shall indicate the total lineal feet of all streets, fire hydrant and street water main lineal feet, and sewer line lineal feet, a list of items and quantities of all improvements installed and constructed for each phase respectively, as well as containing an index schedule. This subdivision is subject to the City Standards, updated standards available on the City of Madera website. The plans are to include the City of Madera title block and following:

- a. Detailed site plan with general notes, including the location of any existing wells and septic tanks;
- b. Street plans and profiles;
  1. Drainage ditches, culverts, and other structures (drainage calculations to be submitted with the improvement plans);
  2. Streetlights;
  3. Traffic signals;
  4. Construction details including traffic signage and striping plan.
- c. Water and sewer plans (sewage flow and water demand calculations to be submitted with the improvement plans);
- d. Grading plan indicating flood insurance rate map community panel number and effective date;
- e. Landscape and irrigation plans shall be prepared by a landscape architect or engineer;
- f. Storm water pollution control plan and permit;
- g. Itemized quantities of the off-site improvements to be dedicated to the City.

115. Submittals shall include (submit a PDF and 8 hard copies for each item):

- a. Engineering Plan Review Submittal Sheet
- b. Civil Plan Submittal Checklist – all required items shall be included on the drawings
- c. Four copies of the final map
- d. Two sets of traverse calculations
- e. Two preliminary title reports
- f. Two signed copies of conditions
- g. Six sets of complete improvements plans
- h. Three sets of landscaping plans
- i. Two sets of drainage calculations



j. Two copies of the engineers estimate

Partial submittals will not be accepted by the Engineering Department.

116. All utilities (water, sewer, electrical, phone, cablevision, etc.) shall be installed prior to curb and gutter installation. Trench compaction shall be as required for curb and gutter installation. If curb and gutter is installed prior to utility installation, then all trenches shall be back-filled with a 3-sack sand slurry mix extending one-foot past curb and gutter in each direction.
117. The applicant shall coordinate with the pertinent utility companies as required regarding establishment of appropriate easements and undergrounding of service lines. Developer shall dedicate a 10-foot Public Utility Easement (PUE) along Pecan Avenue, Road 28 ¼, and Hazel Avenue adjacent to entire project site as well as all internal publicly dedicated streets.
118. All existing and proposed public utilities shall be underground except transformers, which may be mounted on pads, and those facilities exempted by the Public Utilities Commission Regulations or operating at 70,000 volts or greater. Undergrounding of utilities shall not result in the addition of new poles being installed on other properties or street frontages.
119. A preliminary title report and plan check fees along with the engineer's estimated cost of installing the subdivisions improvements shall be submitted with the initial improvement plan submittal. Inspection fees shall be paid prior to initiating construction.
120. A final soils report including "R" values in future streets prepared by a registered civil engineer in accordance with the California Health and Safety Code must be submitted for review prior to the approval of the improvement plans and the filing of any final map, if required by the City Engineer. The date and name of the person who prepared the report are to be noted on the final map.
121. The sub-divider shall enter an Improvement Agreement in accordance with the municipal code prior to recording any final map. The Improvement Agreement shall include a deposit with the City a performance bond, labor, material bond, cash bond, or other bonds as required by the City Engineer, prior to acceptance of the final map.
122. Sub-divider may commence off site construction prior to approval of any final map in accordance with Section 7-2.02 MMC, provided that an encroachment permit has been issued and improvement plans have been submitted and approved. As a component of the encroachment permit, the applicant shall submit a 100% performance bond, additional bond (50% labor & material), Storm Water Pollution Prevention Plan (SWPPP), and insurance certificate prior to initiating any construction work within any street or right-of-way which is dedicated or proposed to be dedicated by the subdivision. The encroachment permit fee shall be per City of Madera Development Application Fees as approved by City Council and shall be paid at the time of permit.
123. For each phase, the developer's engineer, upon completion of subdivision related improvements, shall certify to the City Engineer that the improvements are made in accordance with city requirements and the approved plans. As-built plans showing final existing conditions and actual grades of all improvements and facilities shall also be submitted prior to acceptance of the subdivision improvements by the City.

#### Subdivision improvement inspections

124. Engineering Department plan check and inspection fees along with the engineer's estimated cost of installing off-site improvements shall be submitted along with the improvement plans. Inspection fees shall be due at the time that all other fees are due per the Improvement Agreement.
125. Prior to the installation of any improvements or utilities, the general contractor shall notify the engineering department 48 hours prior to construction. The inspector will verify prior to inspection that the contractor requesting inspection is using plans signed by the City Engineer.
126. No grading or other construction activities, including preliminary grading on site, shall occur until the City Engineer approves the improvement plans or grading plans. The inspector will verify prior to inspection that the contractor requesting inspection is using plans signed by the City Engineer.
127. No occupancy of any buildings within the subdivision shall be granted until subdivision improvements are completed to the satisfaction of the City Engineer. After request for final improvement inspection, the generation of a written punch list will require a minimum of five working days.

#### Special engineering conditions

128. Project grading shall not interfere with the natural flow or adjacent lot drainage and shall not adversely impact downstream properties. Grading plans shall indicate the amount of cut and fill required for the project, including the necessity for any retaining walls. Retaining walls if required shall be approved as to design and calculations prior to issuance of a grading permit, therefore.
129. Lot fill in excess of twelve (12") inches shall require a compaction report prior to issuance of any building permits. Soil shall not slope onto any adjacent property. Lot grade elevation differences with any adjacent properties of twelve (12") inches or more will require construction of a retaining wall.
130. Retaining walls, if required, shall be concrete blocks. Design calculations, elevations, and locations shall be shown on the grading plan. Retaining wall approval is required in conjunction with grading plan approval.
131. Prior to the approval of off-site improvement plans and any construction on the subdivision, a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared, and a storm water permit obtained as required by the state regional water quality control board for developments of over one acre in size.
132. Any construction work on MID facilities must not interfere with either irrigation or storm water flows, or MID operations. Prior to any encroachment upon, removal or modification of MID facilities, the sub-divider must submit two sets of preliminary plans for MID approval. Permits must be obtained from MID for said encroachments, removal, or modification. Upon project completion as built plans shall be provided to MID. Abandonment of agricultural activities will require removal of MID facilities at the owners' expense. Turnouts and gates shall be salvaged and returned to the MID yard.

133. Prior to recording the Final Map, any current and/or delinquent MID assessments, plus estimated assessments for the upcoming assessment (calendar) year, as well as any outstanding crop water charges, standby charges or waiver fees must be paid in full. Assessments are due and payable in full November first of the year preceding the assessment year.
134. The developer of the property can expect to pay current and future development impact fees, including, but not limited to sewer (special service area), water, streets, bridge, public works, parks, public safety and drainage, that are in place at the time building permits are issued.
135. Final street names shall be approved by the Planning Department prior to recording the map for each phase of the development or approval of the improvement plans. Road names matching existing county roads must maintain the current suffix. All streets, even the small segments, shall have street names on the final map. Entry streets, cul-de-sacs and courts should utilize the name of the nearest subdivision street.
136. The applicant shall coordinate with the United States post office relative to the proposed location of the postal boxes for the project. In regard to this item, all adjacent sidewalks shall retain a minimum clear walkway width of five feet.

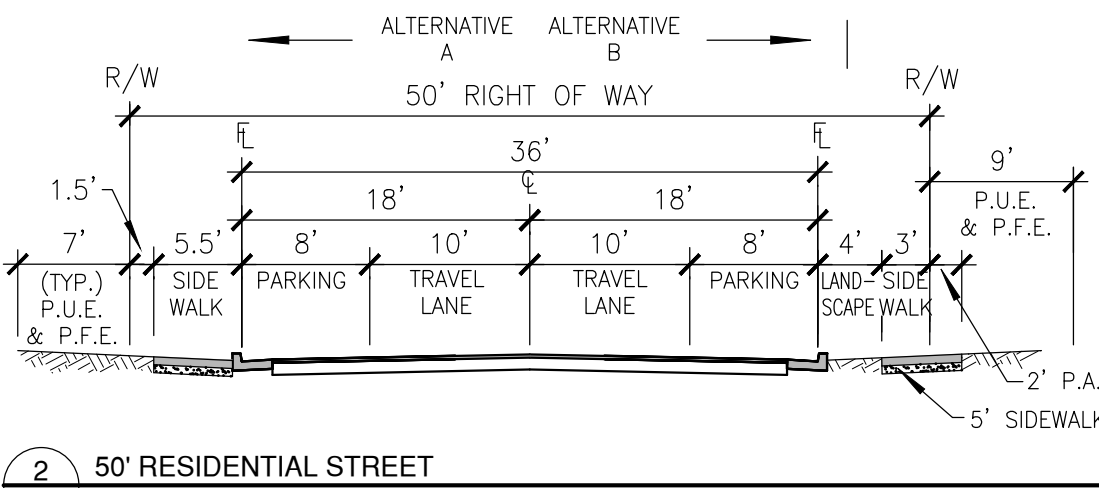
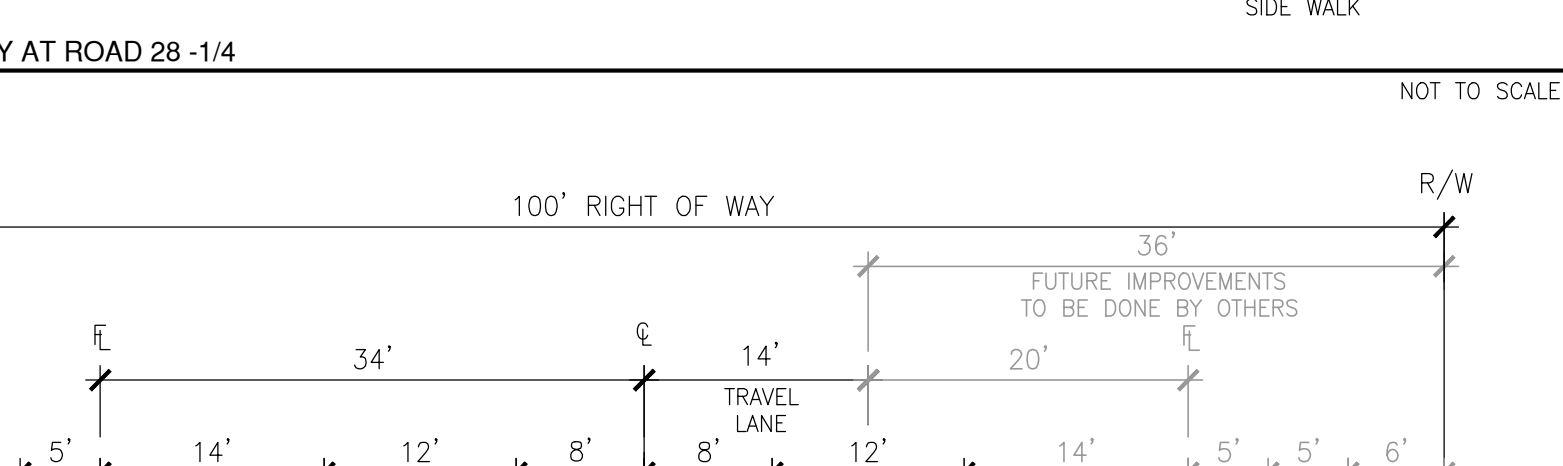
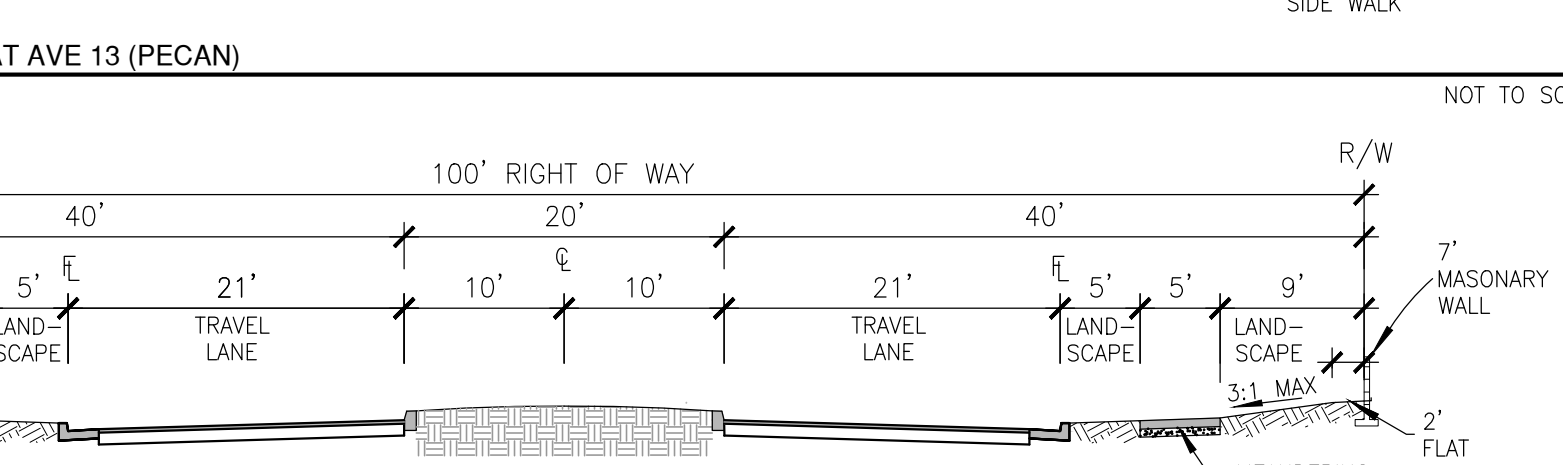
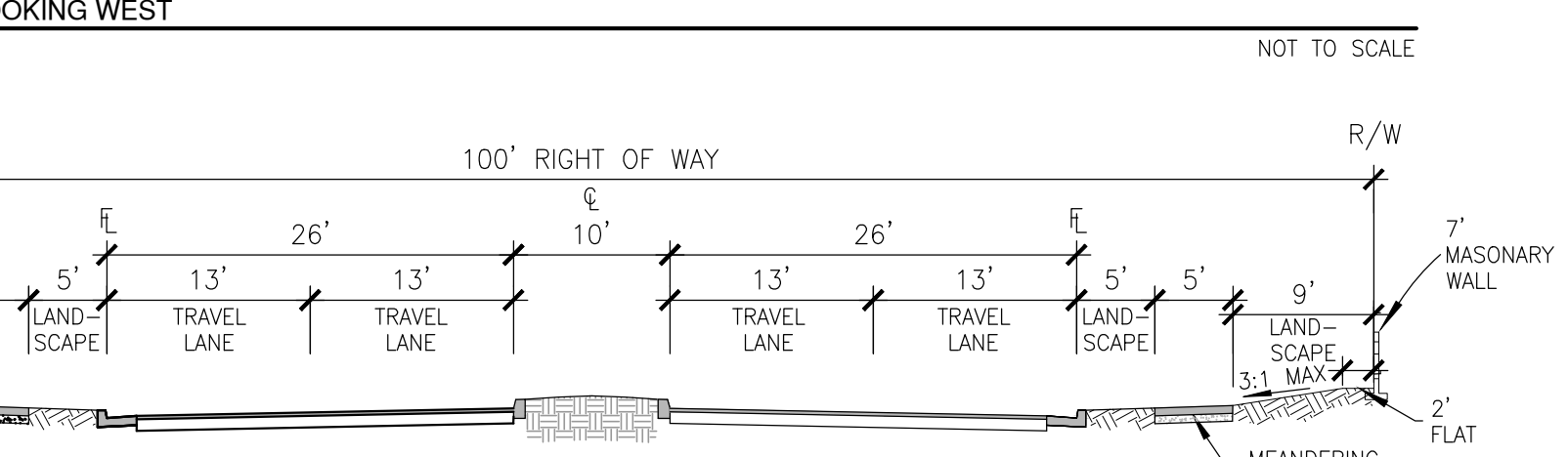
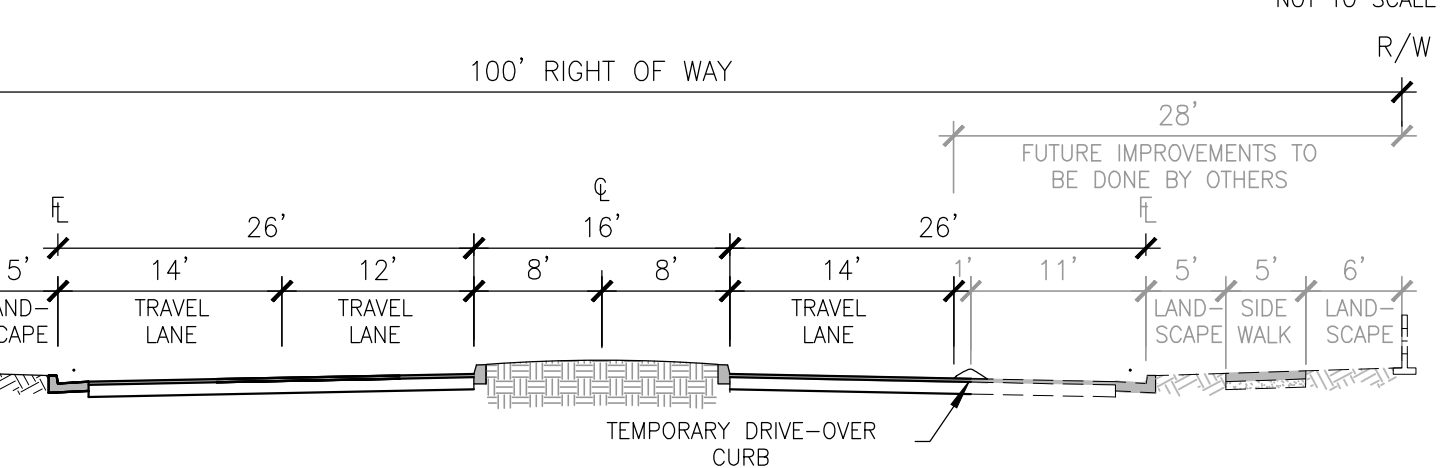
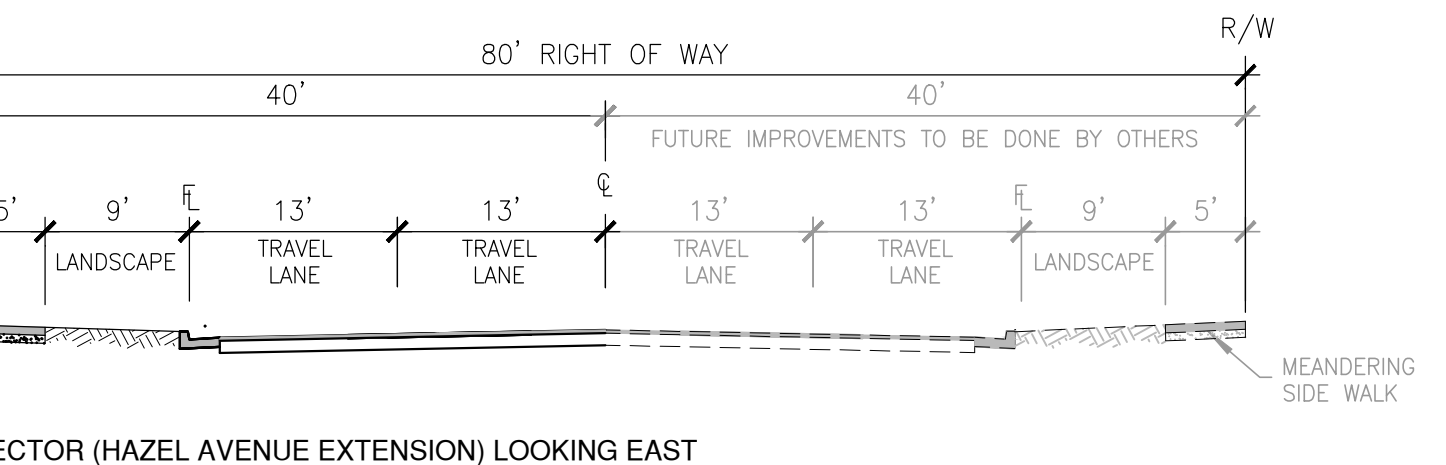
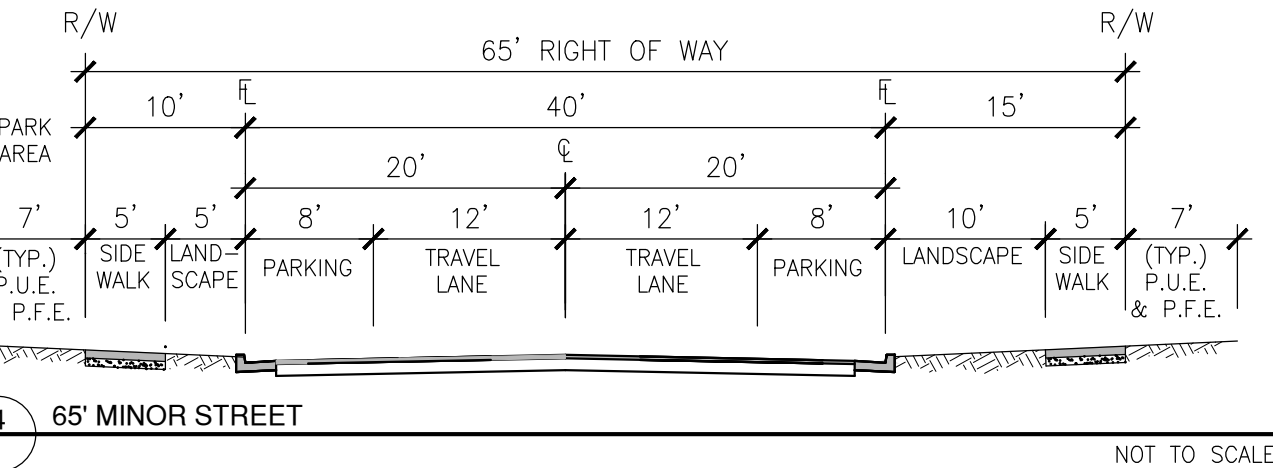
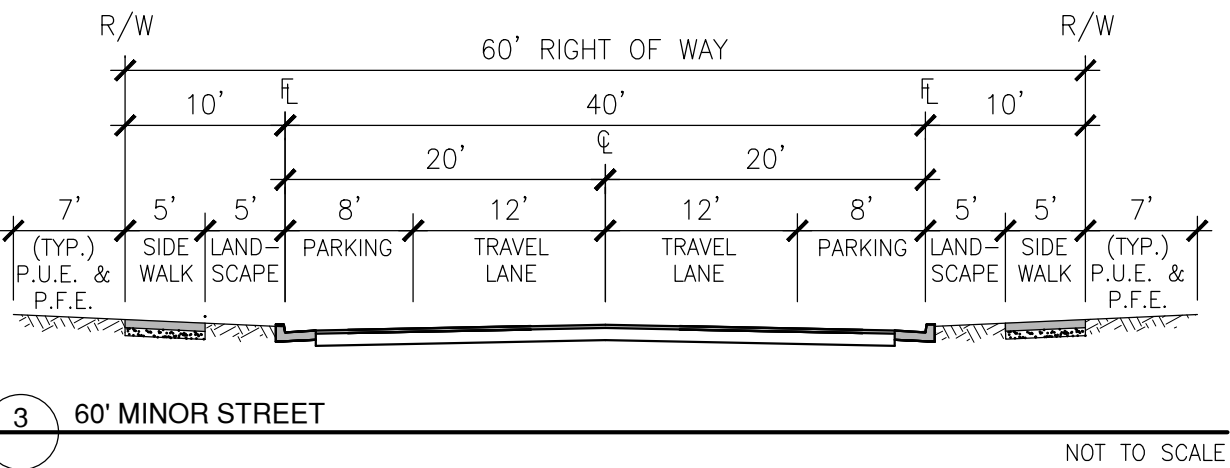
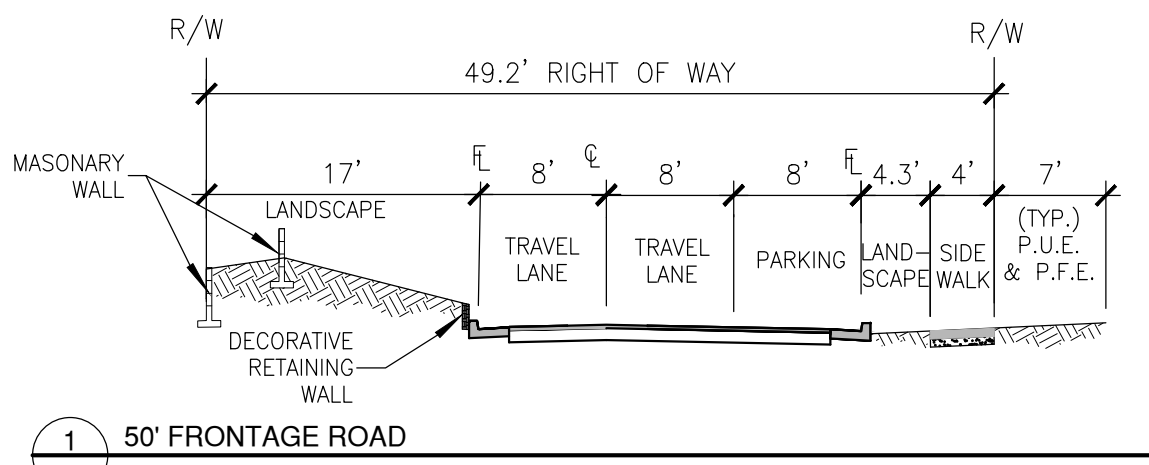
**San Joaquin Valley Air Pollution Control District**

137. The applicant shall consult with and shall comply with the requirements of the San Joaquin Valley Air Pollution Control District, including but not limited to compliance with Regulation VIII (Fugitive PM<sub>10</sub> Prohibitions) and Rule 9510 (Indirect Source Review).

**Madera Unified School District**

138. The applicant shall be responsible for payment of fees to the Madera Unified School District and shall provide the City with evidence of payment, or evidence of the District's determination that no payment is required, prior to issuance of a certificate of occupancy.

-END OF CONDITIONS-



#### LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

**PARCEL 1:** APN 012-490-002

PARCEL 2 OF PARCEL MAP 1831, IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA ACCORDING TO THE MAP RECORDED NOVEMBER 8, 1979 IN BOOK 26, PAGE 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

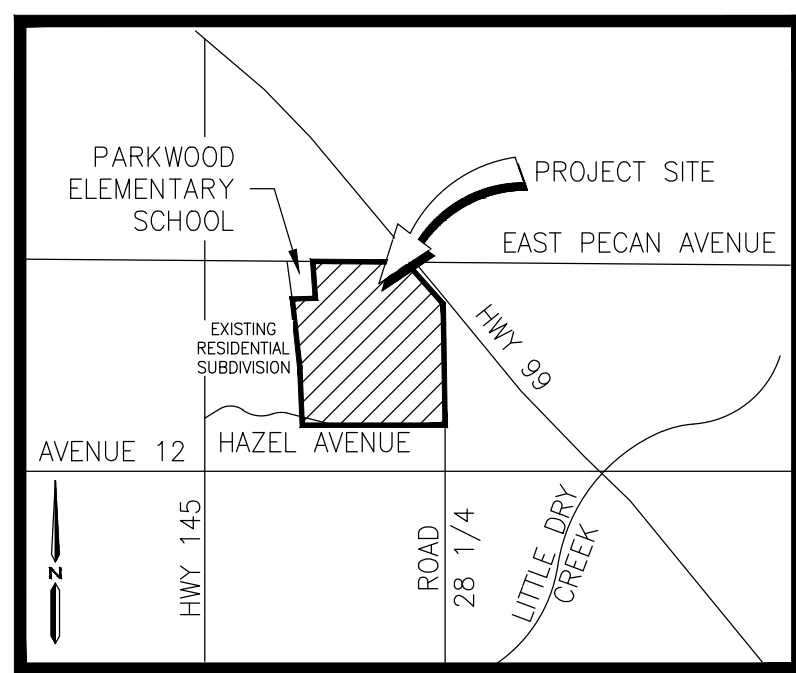
EXCEPTING THEREFROM, ALL THAT PORTION THEREOF CONVEYED TO THE MADERA UNIFIED SCHOOL DISTRICT, IN THE DEED RECORDED MARCH 2, 2007 AS DOCUMENT NO. 2007008848, OF OFFICIAL RECORDS.

**PARCEL 2:** APN 012-490-004; 005 AND 006

PARCELS A, B AND C OF PARCEL MAP NO. 11-P-01, IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA ACCORDING TO THE MAP THEREOF RECORDED MAY 19, 2011 IN BOOK 601, PAGES 32 AND 33 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING A PORTION OF SECTIONS 31 AND 32, TOWNSHIP 11 SOUTH, RANGE 18 EAST, MOUNT DIABLO BASE AND MERIDIAN ACCORDING TO THE OFFICIAL PLAT THEREOF.

#### LEGEND

●	PROPOSED MANHOLE	R	RADIUS	—	CATCH BASIN	—	EXISTING PROPERTY LINE	—8"W—	EXISTING WATER LINE
○	EXISTING MANHOLE	℄	CENTERLINE	—	EXISTING CATCH BASIN	—	RAILROAD TRACKS	—8"S—	EXISTING SEWER LINE
N.T.S.	NOT TO SCALE	℄	PROPERTY LINE	—	PROPOSED FIRE HYDRANT	—	EXISTING COMMUNITY NOISE	—18"D—	EXISTING STORM DRAIN LINE
EX.	EXISTING	℄	FLOWLINE	—	EXISTING FIRE HYDRANT	—	EQUIVALENT LEVEL CONTOURS	P.A.E.	PUBLIC ACCESS EASEMENT
⊗	100W ELECTROLIERS	R/W	RIGHT OF WAY	—	—	—	PROPOSED WATER LINE	P.F.E.	PUBLIC FACILITY EASEMENT
⊗	150W ELECTROLIERS	FG	FINISH GRADE	—	—	—	PROPOSED SEWER LINE	P.U.E.	PUBLIC UTILITIES EASEMENT
⊗	200W ELECTROLIERS	SF	SQUARE FEET	—	—	—	PROPOSED STORM DRAIN LINE	E.V.A.	EMERGENCY VEHICLE ACCESS
				122.2	CENTERLINE STREET ELEVATION				
				—	BOUNDARY LINE				



VICINITY MAP  
N.T.S.

#### NOTES:

OWNERS: LAK BRAR  
PO BOX 58  
MADERA, CA 93639  
APN: 012-490-002  
APN: 012-490-004  
APN: 012-490-005  
APN: 012-490-006

APPLICANTS: BRAR CONSTRUCTION  
PO BOX 58  
MADERA, CA 93639

ENGINEER: O'DELL ENGINEERING  
1165 SCENIC DRIVE, SUITE A  
MODESTO, CA 95350  
CONTACT: MIKE PERSAK  
RCE 44908  
(209) 571-1765

#### SUBDIVIDER'S STATEMENT

- 237.5± GROSS ACRES (999 LOTS/UNITS)  
A. 514 LOTS INCLUDING PUBLIC STREETS (6,000 AVG. SQ FT. MIN)  
B. 202 LOTS INCLUDING PUBLIC STREETS (4,500 AVG. SQ FT. MIN)  
C. 139 LOTS INCLUDING PUBLIC STREETS (3,000 AVG. SQ FT. MIN)  
D. 144 UNITS MULTIFAMILY PROPERTY  
E. 3 PARKSITES (LOT A, B & C)  
F. 1 BASIN (LOT D)  
G. REMAINDER, NOT A PART
- A. EXISTING ZONING  
I. "PF" PUBLIC FACILITIES  
II. "CN" NEIGHBORHOOD COMMERCIAL  
III. "PD 3000" - PLANNED DEVELOPMENT (ONE UNIT PER EACH 3,000 SQ FT OF SITE AREA)  
IV. "PD 4500" - PLANNED DEVELOPMENT (ONE UNIT PER EACH 4,500 SQ FT OF SITE AREA)  
V. "PD 6000" - PLANNED DEVELOPMENT (ONE UNIT PER EACH 6,000 SQ FT OF SITE AREA)  
B. PROPOSED ZONING  
I. "PD 3000" - PLANNED DEVELOPMENT (ONE UNIT PER EACH 3,000 SQ FT OF SITE AREA)  
II. "PD 4500" - PLANNED DEVELOPMENT (ONE UNIT PER EACH 4,500 SQ FT OF SITE AREA)  
III. "PD 6000" - PLANNED DEVELOPMENT (ONE UNIT PER EACH 6,000 SQ FT OF SITE AREA)  
IV. "C-N" - NEIGHBORHOOD COMMERCIAL  
V. "PF" - PUBLIC FACILITY  
C. PLANNED LAND USE  
I. "P" & "SP" OTHER PUBLIC AND SEMI-PUBLIC USES  
II. "C" COMMERCIAL  
III. "MD" MEDIUM DENSITY RESIDENTIAL  
IV. "LD" LOW DENSITY RESIDENTIAL
- EROSION CONTROL PLAN SHALL BE DONE PER MADERA COUNTY MUNICIPAL CODE
- MINIMUM BUILDING SETBACK LINES SHALL COMPLY WITH CITY STANDARDS.
- DOMESTIC WATER SUPPLY SHALL BE BY CONNECTION TO CITY OF MADERA WATER SYSTEM.
- SEWER DISPOSAL SHALL BE BY COLLECTION SYSTEM AND CONNECT TO CITY OF MADERA SANITARY SEWER SYSTEM.
- STORM DRAINAGE DISPOSAL SHALL BE BY COLLECTION SYSTEM AND CONNECTION TO CITY OF MADERA STORM DRAINAGE SYSTEM.
- TREE PLANTING SHALL BE PERFORMED IN ACCORDANCE WITH CITY OF MADERA ORDINANCE.
- THE APPLICANT PROPOSES TO BUILD ON LOTS, BUT RESERVES THE RIGHT TO SELL LOTS.
- SOILS REPORT PROVIDED BY GEOCON CONSULTANTS, INC. PROJECT NO. S9000-06-01, DATED JULY 2005.
- TOPOGRAPHY FIELD SURVEY, SHOT MARCH 23, 2006.
- NO UNIT BOUNDARY LINES ARE PROPOSED. MULTIPLE FINAL MAPS ON THIS TENTATIVE MAP IN ACCORDANCE WITH SECTION 66456.1 OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA ARE NOT PROPOSED WITH THIS APPLICATION. HOWEVER THE DEVELOPER RESERVES THE RIGHT TO PROPOSE PHASING FOR CITY APPROVAL AT A LATER DATE IF FUTURE CONDITIONS SO WARRANT.

PLAN REVISIONS

NO.	DATE	REVISION

**O'DELL ENGINEERING**

1165 Scenic Drive, Suite A  
Modesto, CA 95350  
odellengineering.com

TENTATIVE SUBDIVISION MAP NO. 2022-03

**VENTANA I**

A RESIDENTIAL PLANNED DEVELOPMENT  
IN THE CITY OF MADERA  
MADERA COUNTY, CALIFORNIA

COVER SHEET

NOT FOR CONSTRUCTION

APPROVED:

DESIGNED: RD  
DRAWN: LH, SL  
CHECKED: CC, YI  
SCALE: AS SHOWN  
DATE: 10/21/2022  
JOB NO.: 33970  
FILE NO.: 33970-TM 1.dwg

SHEET NO.

1  
OF  
9



PLAN REVISIONS		
NO.	DATE	REVISION



1165 Scenic Drive, Suite A  
Modesto, CA 95350

odellengineering.com

TENTATIVE SUBDIVISION MAP NO. 2022-04

# VENTANA II

# A RESIDENTIAL PLANNED DEVELOPMENT

MADERA COUNTY, CALIFORNIA

COVER SHEET

NOT FOR CONSTRUCTION

APPROVED:

DESIGNED: RC

DRAWN: LH/SL

CHECKED: CC, YI

SCALE: AS SHOWN

DATE: 10/21

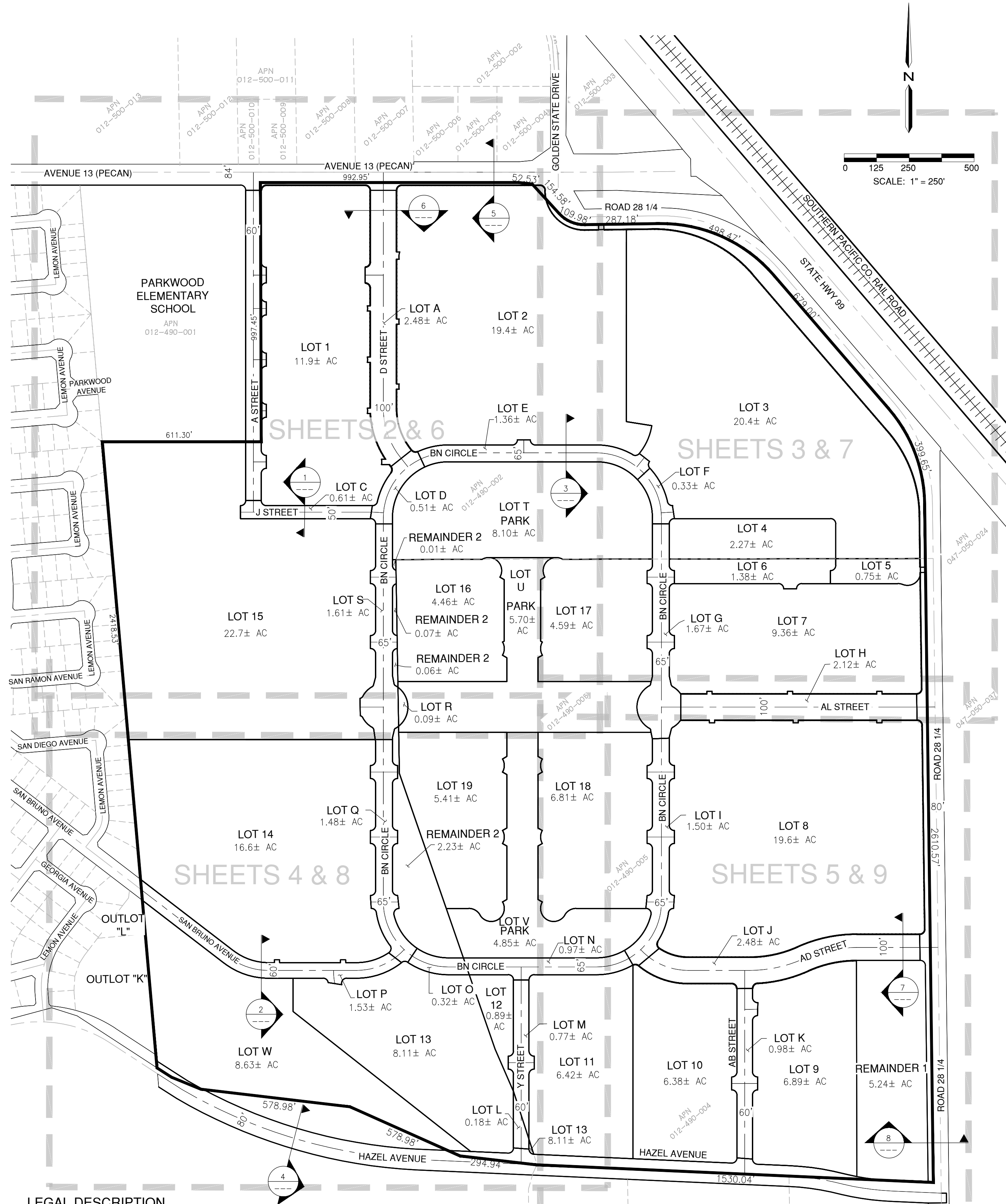
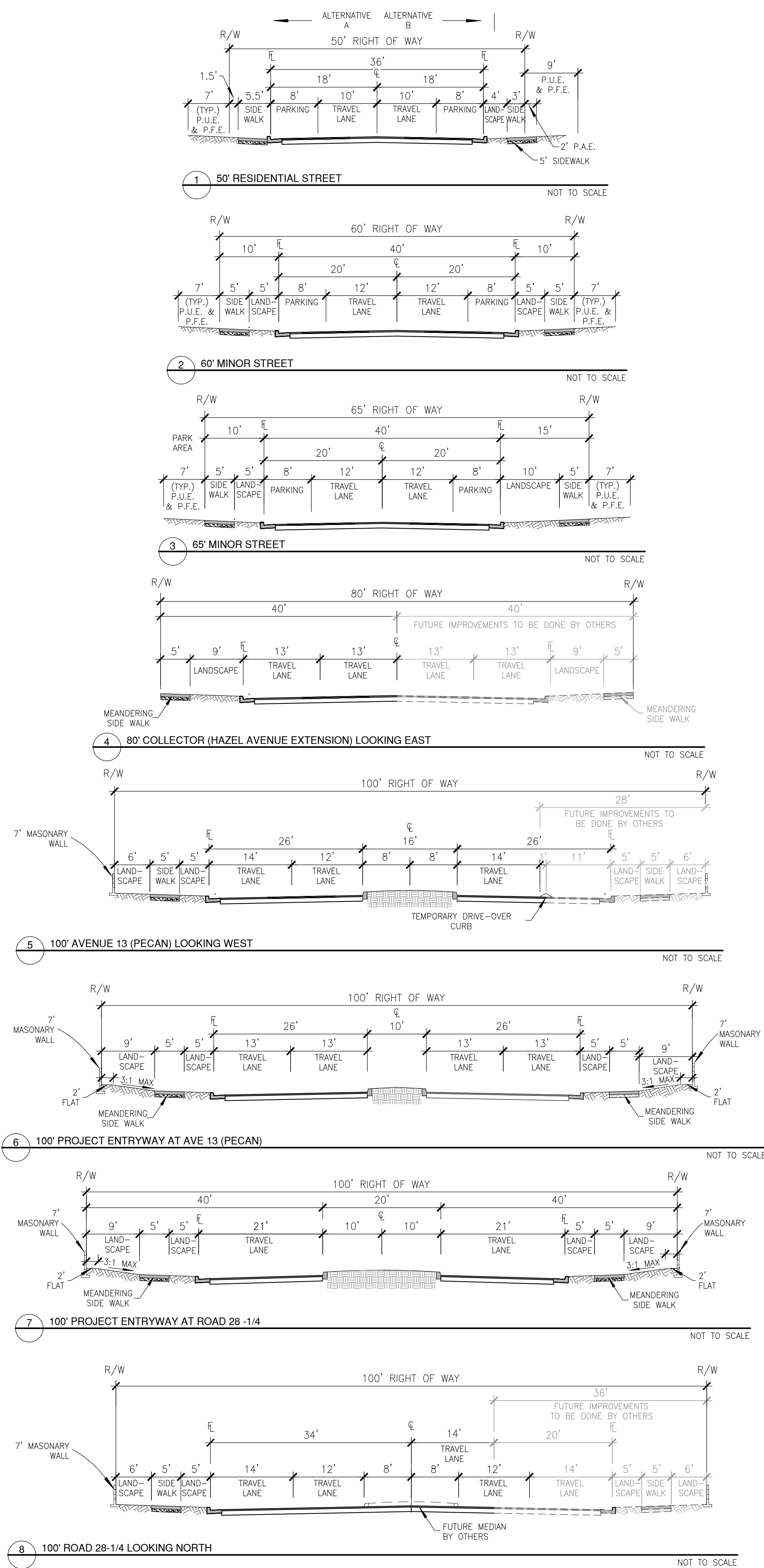
JOB NO.: 33970

SHEET NO.

1

OF

9



## LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

**PARCEL 1:** APN 012-490-002

PARCEL 2 OF PARCEL MAP 1831, IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA ACCORDING TO THE RECORD DATED NOVEMBER 8, 1979 IN BOOK 66, PAGE 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM, ALL THAT PORTION THEREOF CONVEYED TO THE MADERA UNIFIED SCHOOL DISTRICT, IN THE DEED RECORDED 2, 2007 AS DOCUMENT NO. 200700848, OF OFFICIAL RECORDS.

**PARCEL 3:** APN 012-490-003 AND 006

**PARCELS 4, 5 AND C OF PARCEL MAP NO. 11-P-01,** IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA ACCORDING TO THE MAP THEREOF RECORDED MAY 19, 2011 IN BOOK 60, PAGES 32 AND 33 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING A PORTION OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 18 EAST, MONTE DIABLO BASE AND MERIDIAN ACCORDING TO THE OFFICIAL PLAT THEREOF.

### LEGEND

●	PROPOSED MANHOLE	R	RADIUS	—	CATCH BASIN	— — —	EXISTING PROPERTY LINE	— 8" —	EXISTING WATER LINE
○	EXISTING MANHOLE	℄	CENTERLINE	—	EXISTING CATCH BASIN		RAILROAD TRACKS	— 8" —	EXISTING SEWER LINE
N.T.S.	NOT TO SCALE	℄	PROPERTY LINE	—	PROPOSED FIRE HYDRANT	— — —	EXISTING COMMUNITY NOISE EQUIVALENT LEVEL CONTOURS	— 18" —	EXISTING STORM DRAIN LINE
EX.	EXISTING	℄	FLOWLINE	—	EXISTING FIRE HYDRANT	— 8" —	PROPOSED WATER LINE	P.A.E.	PUBLIC ACCESS EASEMENT
⊠	100W ELECTROLIERS	R/W	RIGHT OF WAY	122.2	CENTERLINE STREET ELEVATION	— 8" —	PROPOSED SEWER LINE	P.F.E.	PUBLIC FACILITY EASEMENT
⊠	150W ELECTROLIERS	FG	FINISH GRADE	—	MASONRY WALL	— 8" —	PROPOSED STORM DRAIN LINE	P.U.E.	PUBLIC UTILITIES EASEMENT
⊠	200W ELECTROLIERS	SF	SQUARE FEET	—	BOUNDARY LINE	— 18" —		E.V.A.	EMERGENCY VEHICLE ACCESS

ATTACHMENT 8  
Ventana Specific Plan

<https://www.madera.gov/home/departments/planning/#tr-other-planning-documents-243607>

ATTACHMENT 9  
Ventana Specific Plan EIR  
(Draft & Final)

<https://www.madera.gov/home/departments/planning/#tr-other-planning-documents-243607>