

**CITY OF MADERA PLANNING COMMISSION
REGULAR MEETING
March 10, 2015**

CALL TO ORDER: The meeting was called to order by Commissioner Mendoza at 6:00 p.m.

ROLL CALL

PRESENT: Commissioner Ruben Mendoza (Vice Chairperson)
Commissioner Robert Gran, Jr.
Commissioner Pamela Tyler
Commissioner Jim DaSilva
Commissioner Bruce Norton

ABSENT: Commissioner Kenneth Hutchings (Chairperson)
Commissioner Shirley Driggs

STAFF: David J. Merchen, Community Development Director
Christopher Boyle, Planning Manager
Keith Helmuth, City Engineer
Francisco Nuñez, Assistant Engineer
Brent Richardson, City Attorney
Zelda León, Recording Secretary

PLEDGE: Commissioner Mendoza led the Pledge of Allegiance.

PUBLIC COMMENT

APPROVAL OF MINUTES

Motion made by Commissioner Tyler; seconded by Commissioner Norton to approve the Minutes of February 10, 2015; motion was carried unanimously.

CONSENT ITEMS: None

PUBLIC HEARING ITEMS

1. CUP 2015-01 & SPR 2015-02 – Madera Star Smog

A noticed public hearing to consider a conditional use permit and site plan review to allow for the establishment of an automotive smog check business to be located approximately 100 feet southwest of the intersection of South C Street and East 6th Street (217 East 6th Street), in the C1 (Light Commercial) Zone District with an C (Commercial) General Plan land use designation (APN: 007-161-013). The Planning Commission will consider a Categorical Exemption for the project pursuant to CEQA Section 15301.

This application has been withdrawn by the applicant. No further processing will occur.

2. CUP 2015-02 & SPR 2015-06 – ABC Pho Dera

A noticed public hearing to consider a conditional use permit and site plan review to allow for the sale of beer and wine for on-site consumption at a restaurant located near the southeast corner of West Olive Avenue and Martin Street (200 West Olive Avenue) in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 012-053-017). The Planning Commission will consider a Categorical Exemption for the project pursuant to CEQA Section 15301.

Christopher Boyle, Planning Manager summarized the report. The use is consistent with the purpose and intent of the Zoning Ordinance and is harmonious with the surrounding uses. There is no compelling reason to deny the sale of alcoholic beverages in conjunction with the restaurant.

The item was opened for public comment.

Applicant, Casey Ngo of 200 W. Olive Avenue, Madera, CA spoke in favor of the project. Ms. Ngo was asked and responded that she had reviewed and was in agreement with the conditions of approval.

No further public comment on this item was presented; public hearing on this item was closed.

Motion made by Commissioner Gran; seconded by Commissioner DaSilva to approve the requested Conditional Use Permit 2015-02 and Site Plan Review 2015-06 based on and subject to the findings and conditions of approval; motion was carried unanimously.

3. CUP 2006-30 MOD & SPR 2015-08 – Harris Daycare Modification

A noticed public hearing to consider modification of a conditional use permit and site plan review to allow for expansion of an existing daycare located at the northeast corner of South J Street and West 6th Street (125 South J Street) in the R3 (Residential) Zone District with an LD (Low Density) General Plan land use designation (APN: 010-125-007). The Planning Commission will consider a Categorical Exemption for the project pursuant to CEQA Section 15301.

Christopher Boyle, Planning Manager summarized the report. The commercial daycare use has demonstrated compatibility with the surrounding area. Expansion of the use, as conditioned, will provide continued compatibility with the surrounding area. It is recommended that the Commission approve the use permit and site plan review, subject to the listed conditions of approval.

Staff also recommends that Condition #2 [Bullet 4] be amended as follows:

Conditional Use Permit 2006-30 MOD allows for the expansion of an existing commercial daycare facility, consistent with the stated conditions of approval. The expansion shall allow for the following components:

- Increase number of students from 24 to 41
- Install wheel chair ramp at the rear of the structure
- Allow for the installation of on-building signage
- ~~Install screening net on the perimeter fence~~
- **Construct a six foot tall solid wood fence to fully enclose the entirety of the outdoor activity areas.**

The item was opened for public comment.

Applicant, Pat Harris of 125 S. J Street, Madera, CA spoke in favor of the project. Ms. Harris was asked and responded that she had reviewed and was in agreement with the amended conditions of approval.

No further public comment on this item was presented; public hearing on this item was closed.

Motion made by Commissioner Gran; seconded by Commissioner DaSilva to approve the application for Conditional Use Permit 2006-30 MOD and Site Plan Review 2015-08, based on and subject to the findings and conditions of approval; motion was carried unanimously.

4. VAR 2015-01 – Jack in the Box Signage

A noticed public hearing to consider a variance from the Sign Regulations of the City of Madera to allow for a twenty (20') foot tall freestanding sign at a multiple business development located near the northeast corner of East Yosemite Avenue and Tozer Street (1545 East Yosemite Avenue) in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 008-143-031). The Planning Commission will consider a Categorical Exemption for the project pursuant to CEQA Section 15311.

Christopher Boyle, Planning Manager summarized the report. The proposed project provides for the replacement of the existing non-conforming twenty foot tall freestanding sign. Allowance for the sign includes the requirement for a second multi-tenant sign and the removal of the former "Mean Gene's" pole sign. Staff recommended approval of the variance.

The item was opened for public comment.

Project Architect, Robert Martinez of 13519 Itasca Court, Apple Valley, CA spoke in favor of this project. Mr. Martinez was asked and responded that they are in agreement with the conditions of approval.

No further public comment on this item was presented; public hearing on this item was closed.

Motion made by Commissioner Tyler; seconded by Commissioner Norton to approve Variance 2015-01, based on and subject to the findings and conditions of approval; motion was carried unanimously.

5. Fiscal Year 2015/16 to 2019/20 Capital Improvement Program Determination of Conformity to the City of Madera General Plan

A noticed public hearing to consider a resolution finding the Fiscal Year 2015/16 to 2019/20 Capital Improvement Program in conformance with the General Plan and Specific Plans of the City of Madera pursuant to Government Code Section 65401. The Planning Commission will consider a Categorical Exemption for the project pursuant to CEQA Section 15061(b)(3).

Christopher Boyle, Planning Manager summarized the report. The City Council of the City of Madera has reviewed the active and proposed projects in the Capital Improvement Program and forwards the CIP to the Planning Commission for determination of

conformance with the City General Plan pursuant to Government Code Section 65401. It is recommended that the Planning Commission adopt a resolution finding the Capital Improvement Program in conformance with the General Plan and Specific Plans of the City of Madera.

There was discussion on the number of commercial water meters to be installed.

Motion made by Commissioner Gran; seconded by Commissioner Norton to approve the resolution finding the Capital Improvement Program in conformance with the General Plan and Specific Plans of the City of Madera; motion was carried unanimously.

6. OTA 2014-01 – Housing Element Streamlining Process Ordinance Amendment

A noticed public hearing to consider adoption of a resolution recommending to the City Council adoption of an ordinance amending Title X: Planning and Zoning of the Madera Municipal Code to be in compliance with the state Department of Housing and Community Development requirements for qualification for the Housing Element streamlined review process.

Motion made by Commissioner Gran; seconded by Commissioner Tyler to continue this item to the April 14, 2015 Planning Commission meeting; motion was carried unanimously.

NON-PUBLIC HEARING ITEMS: None

ADMINISTRATIVE REPORTS

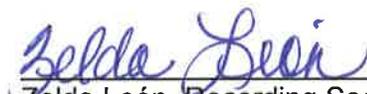
David Merchen, Community Development Director stated that the City will be holding a Public Open House on March 19, 2015 at 6:00 pm which will allow the public to provide input on the Climate Action Plan.

COMMISSIONER REPORTS: None

ADJOURNMENT: Meeting adjourned at 6:32 pm.



Kenneth F. Hutchings
Planning Commission Chairperson



Zelda León, Recording Secretary