

**CITY OF MADERA PLANNING COMMISSION
REGULAR MEETING
July 14, 2015**

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

ROLL CALL

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

ABSENT: None

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

PLEDGE: Commissioner Gran led the Pledge of Allegiance.

PUBLIC COMMENT

Elvin Martin stated that he had comments on Riverside Villas. Chairperson Hutchings asked that he wait until the item was called on the agenda.

No further public comment was presented; public hearing was closed.

MINUTES: None

CONSENT ITEMS: None

NON-PUBLIC HEARING ITEMS

NP1. CUP 2009-14 & SPR 2009-13 – BJ's Liquor/Stereo Express

A review of the performance of CUP 2009-14 and SPR 2009-13, a conditional use permit and site plan review which allowed for the establishment of an automotive repair/car stereo installation use in a portion of an existing building at BJ's Gas and Liquor.

Christopher Boyle, Planning Manager summarized the report. The site is not in compliance with the conditions of approval for Conditional Use Permit 2009-14. Staff recommends that the conditional use permit be scheduled for a public hearing to determine whether revocation is appropriate.

Motion made by Commissioner Norton; seconded by Commissioner Mendoza to schedule a public hearing to consider revocation of Conditional Use Permit 2009-14 at the August 11, 2015 Planning Commission regularly scheduled meeting, based on the findings; motion was passed unanimously.

Findings

- Staff has observed non-compliance with the conditions of approval, warranting review of CUP 2009-14, as approved by the Planning Commission on December 8, 2009.

PUBLIC HEARING ITEMS

1. CUP 2015-18 & SPR 2015-19 – Springhill Suites Alcohol Sales

A noticed public hearing to consider an application for a conditional use permit and site plan review to allow for the sale of beer and wine for on or off-site consumption. Springhill Suites is located on the north side of East Almond Avenue, west of Highway 99 (1219 East Almond Avenue), in the CH (Highway Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 012-390-005). The Planning Commission will consider a Categorical Exemption for the project pursuant to CEQA Section 15301.

Kira Noguera, Assistant Planner summarized the report. The use is consistent with the purpose and intent of the Zoning Ordinance and is compatible with the surrounding uses. There is no compelling reason to deny the sale of beer and wine in the hotel market.

The item was opened for public comment.

Stacey Molino, General Manager and Anita Valdez, Sales Manager, both of Springhill Suites 1219 E. Almond Avenue, Madera, CA spoke in favor of the project. Ms. Molino was asked and responded that they reviewed and 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 DaSilva; seconded by Commissioner Gran to approve the requested Conditional Use Permit 2015-18 and Site Plan Review 2015-19 based on and subject to the findings and conditions of approval; motion was approved unanimously.

2. REZ 2015-02 & Amended Sub. No. 06-S-04 – Riverside Villas

A noticed public hearing to consider a rezoning of a 2.03 acre portion of the Riverside Villas subdivision from the PD-4500 (Planned Development) Zone District to the PD-6000 (Planned Development) Zone District to allow for amendment of a portion of the previously recorded subdivision map to provide larger lots. The project site is located in the proximity of the intersection of Riverside Drive and Merced Street in the LD (Low Density) General Plan land use designation (Multiple APNs). A Negative Declaration was certified for the project in 2005 in conjunction with a rezoning of the property from R1 (Residential) to PD-4500 (Planned Development). The impacts of the current application are less than those anticipated in 2005.

Christopher Boyle, Planning Manager summarized the report. The proposed rezone provides consistency with the General Plan and allows for the logical completion of a single family residential neighborhood. Staff recommends adoption of a Resolution recommending to the City Council adoption of an ordinance rezoning the property.

The item was opened for public comment.

Elvin Martin of 1110 Daulton Avenue, Madera, CA had questions regarding the project.

- Undergrounding, currently, in place will be changed at City's expense.
- The easement on Lot 17 will be relocated and Lot 17 will become a fully developed lot not encumbered by an easement.
- The holding pond goes away and is converted into three lots.
- The lots will be zoned for Single Family Residence PD 6000 homes.

Mr. Martin mentioned that the holding pond did not have a fence around it and kids play there.

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

Motion made by Commissioner Gran; seconded by Commissioner Norton to adopt a Resolution recommending to the City Council adoption of an ordinance rezoning the property to the PD-6000 (Planned Development) Zone District, with the findings and conditions of approval; motion was approved unanimously.

ADMINISTRATIVE REPORTS

Mr. Boyle, Planning Manager advised the Commission that the Rescue Mission had 90 days to submit an application that would correct two item. He is, currently, processing that application and it will be brought to the August Planning Commission meeting.

COMMISSIONER REPORTS: None

ADJOURNMENT: Meeting adjourned at 6:24 pm.



Kenneth F. Stutchings
Planning Commission Chairperson



Zelda León, Recording Secretary