

**CITY OF MADERA PLANNING COMMISSION
REGULAR MEETING
February 13, 2017**

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

ROLL CALL

PRESENT: Commissioner Kenneth Hutchings (Chairperson)
Commissioner Jim DaSilva
Commissioner Bruce Norton
Commissioner Israel Cortes
Commissioner Pamela Tyler
Commissioner Richard Broadhead

ABSENT: Robert Gran Jr. (Vice Chairperson)

STAFF: Dave Merchen, Community Development Director
Christopher Boyle, Planning Manager
Keith Helmuth, City Engineer
Jose Sandoval, Assistant Engineer
Robert Holt, Assistant Planner
Brent Richardson, City Attorney
Brandi Garcia, Recording Secretary

PLEDGE: Commissioner Hutchings led the Pledge of Allegiance.

PUBLIC COMMENT: None

MINUTES: January 10, 2017

Commissioner Norton moved to approve the minutes, seconded by Commissioner Tyler.
The motion carried unanimously.

CONSENT ITEMS: None

NON-PUBLIC HEARING ITEMS:

C1. SPR 2009-21 EXT4 & Multiple CUP Extensions – Foxglove Shopping Center Extension

A request for an extension of an approved site plan review and various conditional use permits in support of the development of a retail shopping center. The property is 19.51 acres in size and is located on the southeast corner of Schnoor Avenue and Foxglove Way in the C2 (Commercial) Zone District with a C (Commercial) General Plan land use designation. An environmental impact report, mitigation monitoring and reporting program, statement of overriding considerations, and related findings for all project components were completed in conjunction with the proposal. The retail shopping center was approved and the environmental impact report was certified by the Planning Commission on February 12, 2013.

Commissioner Tyler moved to approve the extension request for SPR 2009-21 & Multiple CUP's. Seconded by Commissioner DaSilva. The motion carried unanimously.

PUBLIC HEARING ITEMS

1. CUP 2016-39 & SPR 2016-59 – Stormax Vehicular Storage Area

A noticed public hearing to consider a conditional use permit and site plan review to allow for outdoor vehicular storage in conjunction with the Stormax mini storage facility located on the east side of Tozer Street, approximately 300 feet south of its intersection with East Yosemite Avenue (125 Tozer Street), in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation. (APN: 008-110-014)

Planning Manager, Christopher Boyle summarized the item.

Commissioner Broadhead asked about the telephone tower that is there. How the access to Storey Rd. would be affected.

Mr. Boyle said that the access point would be retained. There has to be two points of access for fire.

It all still works together in unison.

There were no further questions of Mr. Boyle.

The public hearing was opened and the applicant was invited to step forward.

Emery Vlotho of 525 W. 4th St. in Hanford stepped to the podium.

Commissioner Hutchings asked if he was in agreement with all the conditions except the one that Mr. Boyle noted in the presentation.

Mr. Vlotho said yes but he just doesn't agree with that item but does agree with having 10 years to make the improvements.

Commissioner Broadhead confirmed that the buildings will be blocking the view of the vehicles.

Mr. Vlotho confirmed, yes.

The public hearing was closed and the item was returned to the Commission for further processing.

Commissioner Norton made a move to approve Motion 1 as submitted, unaltered seconded by Commissioner Tyler. The motion was carried unanimously.

2. CUP 2017-01 & SPR 2017-01 – Quality Children's Services (Daycare)

A noticed public hearing to consider a conditional use permit and site plan review to allow for a commercial daycare facility within a former church located on the east side of Stinson Avenue, approximately 500 feet north of its intersection with South A Street (333 Stinson Avenue), in the R1 (Low Density Residential) Zone

District with an LD (Low Density Residential) General Plan land use designation. (APN: 011-234-019)

Robert Holt, Assistant Planner presented the project.

Commissioner DaSilva asked the site is up to date on ADA requirements.

Mr. Holt replied that the ADA is not compliant and that the applicant is aware of the requirements.

Commissioner Hutchings asked if the change in the number of students changes the parking requirements.

Mr. Holt said no, it is based on the number of employees.

Commissioner Broadhead asked if the vacant lot is to remain vacant.

Mr. Holt noted that would be addressed in the site plan review.

Commissioner Hutchings opened the public hearing and invited the applicant to step forward.

Amy Ramirez of 1930 W. San Marcos Blvd. in San Marcos, Ca. stepped to the podium. She is the President/CEO of Quality Children's Services. She stated she is in agreement with all conditions

The item was returned to the Commission for further processing.

Commissioner DaSilva moved to approve Motion 1, seconded by Commissioner Tyler. The motion was carried unanimously.

3. CUP 2017-02 & SPR 2017-03 – H.O. Tire and Wheel Repair

A noticed public hearing to consider a conditional use permit and site plan review to allow for the establishment of an auto tire and wheel business to be located on the east side of Noble Street, approximately 400 feet south of its intersection with Maple Street (421 Noble Street), in the I (Industrial) Zone District with an I (Industrial) General Plan land use designation. (APN: 012-402-006)

Christopher Boyle, Planning Manager presented the item.

Commissioner DaSilva asked about used oil storage.

Mr. Boyle stated that is a regulated activity and they would have to comply with the regulations related to storage and disposal.

Commissioner Hutchings asked about the parking lot and if there were any requirements for it to be redone.

Mr. Boyle stated there was not a condition for a slurry seal but the Commission could add it if they wish.

Commissioner DaSilva stated that across the street is the Span Industrial Park and asked if all the upgrades had been done there.

Mr. Boyle said that at present all sidewalk requirements that are currently in place at Span Industrial Park have been fully constructed. He believes that all conditions of approval for the conditional use permits in question, are in compliance.

Commissioner Broadhead questioned the two units on the parcel and verified this only pertained to one of the units.

Mr. Boyle said yes, there are two units but this is only one of the units.

Commissioner Hutchings thanked Mr. Boyle and invited the applicant to step forward.

Octavio Lopez stepped to the podium. He asked about the name of the business showing different on the report as opposed to his documents.

Mr. Boyle confirmed that the naming and what was used in the staff report will not affect any licensing. All uses proposed have been covered.

Commissioner DaSilva made a move to approve Motion 1, seconded by Commissioner Norton. The motion was carried unanimously.

4. TSM 2016-02 – Sunrise Estates

A noticed public hearing to consider a tentative subdivision map proposing to subdivide four parcels (008-180-001, 002, 003, and 004) encompassing 22.52 acres into a 112-lot single family residential subdivision. The project site is located at the northwest corner of Sunrise Avenue and Tozer Street in the R1 (Low Density Residential) General Plan land use designation. A Negative Declaration will also be considered by the Planning Commission.

Christopher Boyle, Planning Manager requested Motion 2 to continue this item to the March 14, 2017 regular Planning Commission meeting.

Commissioner Norton made a move to accept Motion 2, seconded by Commissioner DaSilva.

The motion was carried unanimously.

5. Development Agreement Annual Review – Madera Town Center

An annual review of the development agreement approved in conjunction with the Madera Town Center project (Ordinance 821) for the period running through August 1, 2016. This annual review has been scheduled pursuant to Section 10-3.1715 of the Madera Municipal Code, which required that the Planning Commission determine whether the principal party to the agreement, Zelman Retail Partners, has complied in good faith with the Terms of the development agreement. (APN: 013-240-001)

Dave Merchen, Community Development Director presented the item.

Commissioner Norton asked how the construction cost increases are factored into that \$7,000,000 reimbursement amount.

Mr. Merchen said there is a cost factor involved but it's interesting that there was a defined plan to construct the project that would have seen it developed in 2008 to the point there was a defined site plan and specific tenants listed. Approvals for Target were ready to be submitted when the economic recession began. When the development agreement was done it was done with the consideration that construction was imminent. This is a contract that doesn't change. The 20 year term is fixed and if this builds out near the end, the reimbursement would be limited.

Commissioner Broadhead asked if the well mentioned in this project is the same well for the truck stop project.

Mr. Merchen said they are different well sites. The site laid out for the truck stop will actually serve both locations better than this one. This one probably will not happen.

Commissioner Hutchings asked if there were any other questions. Seeing none, the item was returned to the Commission for further processing.

Commissioner DaSilva made a move to approve Motion 1, seconded by Commissioner Tyler. The vote was carried unanimously.

NON PUBLIC HEARING ITEMS: None

ADMINISTRATIVE REPORTS:

Mr. Boyle introduced our newest Commissioner, Israel Cortes. He also noted that Mr. Cortes will be attending the Planning Commissioners Academy March 1-3.

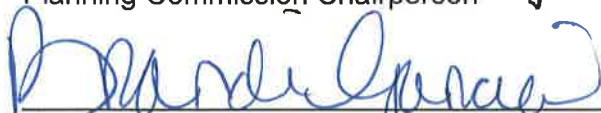
Commissioner Hutchings commented that the first day of the Academy offers the Ethics course, for those that need to get that updated. He also noted it is time to turn in the Form 700.

COMMISSIONER REPORTS: None

The meeting adjourned at 6:56 p.m.



Kenneth F. Hutchings
Planning Commission Chairperson



Brandi Garcia, Recording Secretary