

**CITY OF MADERA PLANNING COMMISSION
REGULAR MEETING
May 9, 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 Robert Gran Jr. (Vice Chairperson)
Commissioner Jim DaSilva
Commissioner Israel Cortes
Commissioner Pamela Tyler
Commissioner Richard Broadhead
Commissioner Bruce Norton

ABSENT: None

STAFF: Christopher Boyle, Planning Manager
Keith Helmuth, City Engineer
Jose Aguilar, Deputy City Engineer
Brent Richardson, City Attorney
Brandi Garcia, Recording Secretary

PLEDGE: Commissioner Norton led the Pledge of Allegiance.

PUBLIC COMMENT: None

MINUTES: None

CONSENT ITEMS: None

NON-PUBLIC HEARING ITEMS: None

PUBLIC HEARING ITEMS

1. PPL 2017-01 – Mesa Pointe Precise Plan

A continued public hearing to consider a precise plan to allow for the development of five (5) new proposed home plans ranging in size from between 1,311 and 2,586 square feet on sixty-five (65) residential lots generally located southwest of the intersection of East Olive Avenue and South Knox Street in the PD-3000 (Planned Development) Zone District with an MD (Medium Density) General Plan land use designation. The Precise Plan will also provide for supporting development standards for the project.

APN: Multiple

Planning Manager, Christopher Boyle presented the item.

Commissioner Gran questioned Mr. Boyles reasoning on planks being called out for the windows.

Mr. Boyle stated it would provide additional variation and architectural value.

Commissioner Gran asked if there would be any parking on the streets.

Mr. Boyle confirmed that yes, there will be an allowance for street parking.

The applicant, Bob Buckheister of DR Horton at 4332 W. Lark Ave. in Visalia, Ca. stepped to the podium. He stated they had address the two elevations that were in question. He passed out exhibits to the Commissioners.

Commissioner DaSilva confirmed that they are in agreement with all the conditions of approval.

Mr. Buckheister stated, yes they are in agreement.

Commissioner Gran asked if there would be any staggering in the distance of the homes from the street.

Mr. Boyle nodded his head saying yes.

Commissioner Gran made a move to approve Motion 1, seconded by Commissioner Norton.

The motion was carried unanimously.

2. CUP 2016-20 – Teran Residence Revocation

A continued public hearing to consider revocation of Conditional Use Permit 2016-20, which allows for a residential use on a commercially zoned property located at the southwest corner of North C Street and East 5th Street (126 North C Street) in the C1 (Light Commercial) Zone District with a C (commercial) General Plan land use designation. APN: 007-111-001

Christopher Boyle, Planning Manager presented the item to the Commission.

There were no questions of Mr. Boyle.

Commissioner Gran stated there is a history with this property. They have been put off and put off. Now all of a sudden everything is in process. They are willing to give the applicant the 35 days to complete the items still pending but he doesn't want to see this again. He asked Mr. Richardson how to proceed.

Mr. Richardson said there would need to be a motion allowing the applicant until 06/12/17 to complete the items still pending. There would also need to be a continuance of the item to the 06/13/17 meeting.

Commissioner Broadhead made a motion to give the applicant until 06/12 to complete the conditions and to continue this item until 06/13/17.

The motion was carried unanimously.

3. **SPR 2016-22 MOD – California Custom Processing Amendment**

A noticed public hearing to consider a request to amend the conditions of approval for Site Plan Review 2016-22, which allows for the development of an almond processing plant on 8.49 acres located on the north side of Aviation Drive, 275 feet east of the Condor Drive Alignment (3211 Aviation Drive) in the I (Industrial) Zone District with an I (Industrial) General Plan land use designation.

APN: 013-200-014

Christopher Boyle, Planning Manager summarized the project for the Commission.

Commissioner Gran asked if it is the same owner for all four of the parcels.

Mr. Boyle said yes, it is Ed McIntyre.

Commissioner Gran noted that running future driveways through commercial locations sort of dictates how the property can be developed in the future.

Mr. Boyle stated that is correct noting that the opportunities to select alternative ways to subdivide the property were before the applicant in advance of this project coming to the Commission. Big semis are a part of this project and they take very slow turn movements. In that the other three parcels are also industrial and they also entertain large truck movements. The ability for an arterial street to adequately address and accommodate those turn movements is compromised. That's why the condition of approval was implemented in the project as part of its development proposal noting that the actual design would be accommodated by the development itself. You are seeing other examples where that isn't a difficult thing.

Commissioner Gran said that parcel A, he doesn't know what happened to it and he understands the reason. Based on running the movie theater with the parking lot you can see a path where the garbage truck comes and where he goes. He said he's leery.

Mr. Boyle noted that in terms of driveway design or parking field design, the parking field is consistent with passenger traffic. The design of the parking field as it relates to industrial traffic is designed to accommodate the trucks notwithstanding the fact that the trucks have a greater impact on the paved surfaces.

Commissioner DaSilva said he's thinking in terms of where he comes from. If you have a truck that is receiving and one that's shipping you can have one enter and one exit. The truck is 150 feet so it will block the roadway and block traffic. If it goes in one way and out the other it will be fine. There is not that much traffic on Aviation Drive. If you give the truck driver an easy in and an easy out that's all you need.

Commissioner Norton asked about the greyed out 'private access' areas noted on the diagram and if they were proposing to put the driveways there but it was too close for staff.

Mr. Boyle said that is correct. The two 'x' points were proposed driveways that were requested to be removed. The desire to have two entries was something the applicant wanted. In doing so that constricts separation between the two proposed

driveways at the east and west of the site so they don't meet the Master Plan policies for ingress and egress to arterial streets nor do they make General Plan conformance findings.

Commissioner Norton said he sees the 'x' but there is another set of shaded grey driveways.

Mr. Boyle said those are the proposed entries that staff is requiring. Because the proposed or alternative entries are not on the arterial street section they would be acceptable to staff. There was clarification on which drive approaches were being talked about.

Dave Merchen, Community Development Director explained the driveways a little differently than Mr. Boyle had. He noted they spoke with the property owner regarding the parcel configuration and how the driveways would be laid out. If CCP has private, not shared driveways, the properties on either side may not get driveways on Aviation. They may be on the two side streets shown. Nobody wants to give up their Aviation driveways. The condition for CCP says this project has to do its part and be able to utilize shared access point but when the other two parcels develop they can choose to have their driveways on the side streets and don't demand access on Aviation, then CCP will not have shared access. The key is to understand the design dilemma.

Commissioner Norton verified that it was the same owner for the parcels and noted it was to his advantage to have the shared driveways.

Mr. Merchen confirmed yes.

Commissioner Hutchings asked about the landscaped border around the property.

Mr. Boyle stated there is not a landscape requirement. The landscaping plan should be designed to accommodate the dual access approach. The current landscape plan doesn't.

There were no further questions for Mr. Boyle so the applicant was invited to the podium.

Ed McIntyre of 1234 De Cesari in Madera stepped to the podium. He is the owner of the properties. There has been a lot of struggle on how to address this issue. There is no way to figure out how the driveway spacing requirement was achieved by staff. He's not concerned the suggested driveways are getting crossed out. He stated the City's General Plan is very broad policy. What needs to happen is we need to have a deeper guide on what they are asking for. If you look at what's happening in the industrial world for the last 40 years you will see there are many driveways, and he could name many locations. He has been involved in the Airport Industrial Park for almost 40 years. If you go down Falcon Ave. in a space with about twice the area in discussion, there are 20 plus driveways. Each business has two driveways and it performs really well. He and his partner have owned the property for about 20 years now and nothing has happened to it. They want to accommodate this client. If they take both sides they could have half a million square feet of processing. They don't know if that will happen but he

doesn't want to be locked in to any kind of ingress and egress configurations on the parcels next door.

If you go to Industrial and drive between Schnoor and Commerce you will see six driveways in nearly half the distance. The other side of the street is the little league park, no driveways. The other side of our street, no driveways due to the ponding basin and borrow pit. You might give us two, three or six more driveways. Almond Avenue is similar in having eleven driveways. He has never seen any kind of traffic issue. Florestone has trucks parked in the middle of the street all the time and it's never been an issue. He doesn't want to belabor this but all these companies have double driveways. That's what they asked for and they were accommodated. He would like to see the Commission bear down on this. Aviation is looking like an arterial. There's a lot of issues that have not been talked about. Almond is a collector that performs like an arterial. This is a collector that performs like a collector right now. He is asking to have condition 17 removed and condition 18 will go along with it. They need the project to move forward. They will bear the burden on the vacant lots. He wants to accommodate these users. He would like the Commission to find this is not inconsistent removing this condition. They would like to have what everyone has. Nothing more, nothing less. If there's six driveways on Industrial with nothing on the other side, wouldn't it be reasonable to give us the same? Who's to say there won't be another user that doesn't want to be on Aviation?

Commissioner DaSilva asked how many driveways were given to Span in the new industrial area.

Mr. Merchen said that's a good question. It's a more comparable project. The difference between the examples given on Falcon and Commerce is that those streets are not presently collectors, they are local industrial streets. Freedom Industrial Park along Pecan did have a requirement for shared driveways.

Commissioner DaSilva noted that he doesn't see a problem with two driveways. There's nothing across the street to the south. There's a ponding basin and nobody will be coming out of there. Trucks will be able to go in and out of there with no problem.

Mr. Merchen noted the concern is that arterial streets are designed to be heavy traffic streets. The industrial traffic would be sharing with the general traffic.

Commissioner DaSilva said that Lee's Concrete has been on Pine 55 years and has never had a problem there. Aviation is wider and he thinks they should be able to do what they want to do there.

Commissioner Norton made a move to approve Motion 3 to remove conditions #17 and #18. Commissioner Gran seconded the motion. The motion was carried unanimously.

4. VAR 2017-02 and SPR 2017-12 – Mi Reina Market Parking Variance

A noticed public hearing to consider a variance from the City's Parking Regulations to allow for no (0) parking stalls where seven (7) parking stalls are required, for the property located at the southeast corner of the intersection of North Lake Street

and East Riverside Drive (701 North Lake Street) in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation.
APN: 005-012-001

Planning Manager, Christopher Boyle presented the item.

Commissioner Gran asked where the designated handicap stall would be.

Mr. Boyle stated the handicap spot that will be created on an interim basis since there really is no long term solution for it, would be within the 15 foot offer of dedication along the Lake Street frontage where a delivery truck might make deliveries.

Commissioner Gran asked about when Lake Street is widened.

Mr. Boyle said there would not be one required since there will be no parking stalls at all. If there is on-site parking, on-site ADA must be provided but since there will not be on-site parking there will not be a requirement for ADA parking.

Commissioner Gran asked if the Police Department had any comments regarding the parking.

Mr. Boyle replied that the Police Department did not have any concerns.

Commissioner Hutchings noted that when Lake Street widens it will have four lanes and didn't think that would allow for any on street parking. He also asked what the schedule was for the widening of the street.

Keith Helmuth, City Engineer responded that it is currently at least two to three years out. As it stands there are significant property takes though this is not one of them currently. Considering the cost and difficulty to obtain those it could be at least three or four years.

With no further questions for Mr. Boyle the applicant was invited to step forward.

Dayla Sahn stepped to the podium on behalf of the applicant. She stated they are in agreement with the conditions of approval.

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

5. CUP 2017-06 and SPR 2017-06 – Glory of Zion Ministries

A noticed public hearing to consider a conditional use permit and site plan review to allow for the establishment of a church at the southwest corner of the intersection of Emily Way and East Almond Avenue (510 East Almond Avenue) in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation. APN: 004-042-004

Christopher Boyle, Planning Manager summarized the item.

There were no questions from the Commission so the applicant was invited to the podium.

Pastor Joyce Lane of 510 E. Almond Ave. stepped to the podium. She is in agreement with all the conditions of approval.

Commissioner Gran asked if her landlord was aware and in agreement also.

Mrs. Lane said she believes so, she has been in contact with the property manager and they were aware of her going to the Commission.

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

6. CUP 2017-09 and SPR 2017-10 – Two Residences in R1 Zone

A noticed public hearing to consider a conditional use permit and site plan review to allow for two (2) single family dwelling units on one parcel located on the east side of Cutting Street approximately 250 feet north of the intersection of East Lincoln Avenue and Cutting Street (817 Cutting Street) in the R1 (Low-Density Residential) Zone District with an LD (Low-Density Residential) General Plan land use designation. APN: 004-042-004

The item was presented by Planning Manager, Christopher Boyle.

Lucy Chavez of 817 Cutting St. in Madera stepped forward. She stated she is in agreement with all of the conditions. (Planning Commissioner Israel Cortes translated for her).

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

7. CUP 2017-10, 11 and SPR 2017-13 – The Tap House

A noticed public hearing to consider (2) conditional use permits and a site plan review to allow for the on and off-site consumption of beer and wine and an outdoor dining patio within the Home Depot shopping center located at the northwest corner of the intersection of Foxglove Way and North Schnoor Avenue in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation. APN: 013-070-026

Christopher Boyle, Planning Manager presented the item.

Commissioner DaSilva said he is concerned about people dining outside on the patio then just walking out the gate and just taking off.

Commissioner Norton asked how that would be any different than anyone just walking out of a restaurant.

Commissioner DaSilva replied that it's only a three foot gate so it's easier.

Commissioner Gran noted that at Friday's in Fresno they have a panic door that's not alarmed and guys go out and smoke then come right back in.

Mr. Boyle said the gated and enclosed component of the use is mandated by ABC. You must have a secured outdoor area for the outdoor consumption of alcohol. It isn't something that staff has put into place. They have to provide the gated area.

Commissioner Hutchings asked if the ADA path of travel was through the gate also.

Mr. Boyle said yes, there will be an ADA path of travel through the gate as well as the door.

Commissioner Hutchings noted he was just concerned about the 36" being enough.

There were no further questions of Mr. Boyle. The applicant was invited to the podium.

Dustin and Tracy Franklin of 2175 N. Schnoor Ave. stepped forward. They are the owners of The Tap House. They are in agreement with the conditions. They hope to be open in August.

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

8. CUP 2011-03 MOD2 and SPR 2017-14 – Xtreme Fitness

A noticed public hearing to consider a conditional use permit and site plan review to allow for an athletic fitness club at the northeast corner of the intersection of Maple Street and South Pine Street (225 South Pine Street) in the I (Industrial) Zone District with an I (Industrial) General Plan land use designation.
APN: 012-021-006

The item was presented by Planning Manager, Christopher Boyle.

With no questions for Mr. Boyle, the applicant was invited to the podium.

Maria Cervantes of 225 S. Pine St. stepped forward. She confirmed she is in agreement with the conditions.

Commissioner Gran made a move to approve Motion 1, seconded by Commissioner Tyler. The motion carried unanimously.

9. CUP 2017-12 and SPR 2017-16 – Gates of Grace Church of God

A noticed public hearing to consider a conditional use permit and site plan review to allow for the establishment of a church at the northeast corner of the intersection of South Pine Street and West Olive Avenue (1301 West Olive Avenue) in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation. APN: 010-061-001

Planning Manager, Christopher Boyle summarized the project.

There were no questions for Mr. Boyle.

Alex Hernandez of 1301 W. Olive Ave. stepped forward. He is the applicant and pastor of the church. He is in agreement with all the conditions.

Commissioner Tyler made a move to approve Motion 1. Commissioner Tyler seconded the motion and it was carried unanimously.

10. Fiscal Year 2017/18 to 2021/22 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 2017/18 to 2021/22 Capital Improvement Program in conformance with the General Plan and Specific Plans of the City of Madera pursuant to Government Code Section 65401.

The item was presented by Christopher Boyle, Planning Manager.

Commissioner Gran made a move to adopt the resolution as written. The motion was seconded by Commissioner Norton and carried unanimously.

NON PUBLIC HEARING ITEMS: None

ADMINISTRATIVE REPORTS:

COMMISSIONER REPORTS:

The meeting adjourned at 7:56 pm.



Planning Commission Chairperson



Brandi Garcia, Recording Secretary