

**CITY OF MADERA PLANNING COMMISSION  
REGULAR MEETING  
July 11, 2017**

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

**ROLL CALL**

**PRESENT:** Commissioner Robert Gran Jr. (Vice Chairperson)  
Commissioner Jim DaSilva  
Commissioner Israel Cortes  
Commissioner Richard Broadhead

**ABSENT:** Commissioner Kenneth Hutchings (Chairperson)  
Commissioner Pamela Tyler  
Commissioner Bruce Norton

**STAFF:** Dave Merchen, Community Development Director  
Christopher Boyle, Planning Manager  
Keith Helmuth, City Engineer  
Brent Richardson, City Attorney  
Brandi Garcia, Recording Secretary

**PLEDGE:** Commissioner Gran led the Pledge of Allegiance.

**PUBLIC COMMENT:** None

**MINUTES:**

**June 13, 2017**

Commissioner DaSilva made a motion to approve the minutes. Seconded by Commissioner Cortes. The motion carried unanimously.

**CONSENT ITEMS:** None

**NON-PUBLIC HEARING ITEMS:** None

**PUBLIC HEARING ITEMS**

**1. CUP 2017-13, 14 and SPR 2017-19 – West Yosemite Office Complex**

A noticed public hearing to consider two conditional use permits and a site plan review to allow for the development of a 7,688 square foot office complex to be located in proximity to the northwest corner of West Yosemite Avenue and North K Street (601 and 609 West Yosemite Avenue, and 110 North K Street) in the WY (West Yosemite Professional Office) Zone District within the O (Office) General Plan land use designation. Conditional Use Permit 2017-13 would allow for the conversion of the site to a professional office complex, consistent with the development standards of the WY Zone. Conditional Use Permit 2017-14 would allow for a bank to be a component of the development. (APN's 010-081-003, 004 and 005)

Planning Manager, Christopher Boyle presented the item.

There were no questions of Mr. Boyle so the applicant was invited to step forward.

Mark Barsotti of 543 W. Muncie in Clovis, Ca. stepped to the podium. He stated he is in agreement with all the terms and conditions including the modification of item #52.

The item was returned to the Commission for further processing.

Commissioner DaSilva made a move to approve Motion 1 with item 52 amended as stated by Mr. Boyle, seconded by Commissioner Cortes. The motion carried unanimously.

## **2. VAR 2017-03 – Arain Setback Variance**

A noticed public hearing to consider a variance from the setback requirements of the WY (West Yosemite Professional Office) Zone District in order to allow for less than the required five foot interior side yard structural setback on property located at the northeast corner of the intersection of West Yosemite Avenue and North P Street (1015 and 1019 West Yosemite Avenue) in the WY (West Yosemite Professional Office) Zone District, within the O (Office) General Plan land use designation. The variance would allow for the retention of a breezeway structure. (APN: 010-064-007)

Christopher Boyle, Planning Manager summarized the item.

With no questions for Mr. Boyle the item was opened for public hearing and the applicant was invited to the podium.

John Basila of 6708 Road 26 in Madera stepped forward on behalf of the applicant. He was representing Dr. Arain since the Doctor was unable to attend. The Doctor is in agreement with the conditions.

The public hearing was closed.

Commissioner DaSilva made a move to approve Motion 1, seconded by Commissioner Broadhead. Motion carried unanimously.

## **3. CUP 2016-08 – Herbalife Fitness Revocation**

A noticed public hearing to consider revocation of Conditional Use Permit 2016-08 which allows for a fitness use for the property located east on North D Street approximately 215 feet north of the intersection of North D Street and East Riverside Drive (711 North D Street) in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation. (APN: 001-011-007)

Christopher Boyle, Planning Manager presented the item and recommended continuing the item another 30 days to give the applicant time to come into compliance with the required conditions of approval.

Commissioner Gran asked if 30 days will make a difference.

Mr. Boyle said he's not sure, he can't answer that question.

Commissioner DaSilva noted they haven't done anything in 13 months so he doesn't see 30 days doing anything.

Mr. Boyle said the property owner had requested an additional 60 days.

Commissioner DaSilva asked if the property owner is aware of all this.

Mr. Boyle confirmed, yes and said he would leave the decision to the Commission.

The public hearing was opened and the applicant was invited to the podium.

Florencio Jasso of 228 Asilomar Dr. in Madera stepped forward.

Commissioner DaSilva made sure Mr. Jasso realized what was happening.

Commissioner Gran noted that most of the operational things are in compliance and that most of the items that fall on the landlord that are out of compliance.

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

Commissioner DaSilva made a move to continue the public hearing to the August 8<sup>th</sup>, 2017 Planning Commission meeting. The motion carried unanimously.

#### **4. SPR 2017-20 – Northwest Fire Station**

A noticed public hearing to consider a site plan review for the development of a fire station on four parcels encompassing approximately 5.71 acres located in proximity to the southwest corner of the intersection of Condor Drive and Aviation Drive, in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation. A finding of General Plan conformity will be considered. A Negative Declaration will also be considered by the Planning Commission. (APN's: 013-050-007, 008, 009 and 010)

Planning Manager, Christopher Boyle presented the project.

Commissioner DaSilva asked if this was the only location being looked at.

Mr. Boyle said that staff has done extensive research on potential sites and this is one of those sites. They have done GIS analysis on response times and vacant parcels with the minimum required area.

Dave Merchen, Community Development Director noted that City Council did look at several sites that were presented. More than a dozen potential sites, and they were almost all west of 99 and generally north of Kennedy or at least north of Cleveland. City Council identified a handful of sites they liked and this the one probably the farthest along in the evaluation. The City doesn't own it nor have they made an offer but this is part of the pre planning process and confirming the Site Plan can be approved.

Commissioner DaSilva asked if the Casino will have their own fire department when they come in.

Mr. Merchen said he didn't know the answer to that specifically. The City does have an MOU but it doesn't include fire protection since the site is outside of City limits. The tribes MOU with the County of Madera does include some fire protection elements. With the selection of this site we are fairly certain it would be capable of servicing the Casino property with an agreement between the tribe, City and County.

Commissioner Broadhead asked if the County has a say in the location of the station.

Mr. Merchen explained the City and the County both use Cal Fire as their fire protection. They each have their own agreements. Mr. Merchen invited the fire chief to step forward.

Dave Allen, Cal Fire Operations Chief for Madera County, Madera City and the State of California stepped to the podium. He noted that the County does not have a say in the location of the station but he does. They are looking forward to down the road, if the Casino does go in some day they will build a station in the County somewhere. If this station services the Casino we put a County engine and County staff in there. We will then have the Casino build a station in the County at the other end where we will put a City engine and City staff so two joint stations where day to day operations is the burden of the City at one and the County at the other but they are jointly staffed.

There were no further questions of Mr. Allen nor was there anyone else to speak on the item.

The item was returned to the Commission for processing.

Mr. Merchen noted this is an approval that would stick if the site is developed. The conditions would be binding on the project. If the Commission has any questions regarding the applicant agreeing with the terms and conditions he would be able to confirm and represent the applicant on that.

Commissioner Gran noted the record should reflect that the City does agree with all the terms and conditions.

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

Commissioner DaSilva made a move to approve Motion 1b as stated, seconded by Commissioner Cortes. The motion carried unanimously.

Commissioner DaSilva made a move to approve Motion 1c as state, seconded by Commissioner Broadhead. The motion carried unanimously.

**NON PUBLIC HEARING ITEMS:** None

**ADMINISTRATIVE REPORTS:** None

COMMISSIONER REPORTS: None

The meeting adjourned at 6:54 pm.

  
\_\_\_\_\_

Planning Commission Chairperson

  
\_\_\_\_\_

Brandi Garcia, Recording Secretary