

**REGULAR MEETING AGENDA
CITY OF MADERA
PLANNING COMMISSION**

**COUNCIL CHAMBERS - CITY HALL
TUESDAY
June 9, 2015
6:00 pm**

CALL TO ORDER

ROLL CALL

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

INTRODUCTION OF STAFF

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

The first fifteen minutes of the meeting are reserved for members of the public to address the Commission on items which are within the subject matter jurisdiction of the Commission. Speakers shall be limited to three minutes. Speakers will be asked to identify themselves and state the subject of their comment. If the subject is an item on the Agenda, the Chairperson has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda and no adverse conclusions should be drawn if the Commission does not respond to public comment at this time.

MINUTES: March 10, 2015 & April 14, 2015

CONSENT ITEMS: None

NON-PUBLIC HEARING ITEMS: None

PUBLIC HEARING ITEMS

1. REZ 2015-01, SPR 2015-15, CUP 2015-05 & CUP 2015-06 – DPF Filters

A noticed public hearing to consider a rezone of an 8.25-acre parcel from the IP (Industrial Park) Zone District to the I (Industrial) Zone District to allow for the establishment of two uses. The first use is the maintenance and installation of diesel particulate filter systems on both diesel trucks and stationary diesel power generation systems. The second use is the storage of diesel “big rig” tractors and trailers. The project site is located at 2832 North Golden State Boulevard in the I (Industrial) General Plan land use designation (APN: 013-250-002). The Planning Commission will consider a Categorical Exemption for the project pursuant to CEQA Section 15301.

2. CUP 2015-07, SPR 2015-16 & ZAP 2015-07 – Evolution Strength & Conditioning

A noticed public hearing to consider a conditional use permit to allow for an athletic fitness gymnasium in an I (Industrial) Zone District. Also considered will be a Zoning Administrator Permit to allow for the establishment of a frozen food distribution business to be developed in conjunction with the gymnasium. An application for site plan review is required in order to memorialize the conversion of the 5,000 square foot site to accommodate the two uses. The project site is located on the west side of Noble Street, approximately 200 feet north of its intersection with Gill Avenue (528 Noble Street) in the I (Industrial) Zone District with an I (Industrial) General Plan land use designation (APN: 012-401-010). The Planning Commission will consider a Categorical Exemption for the project pursuant to CEQA Section 15301.

3. CUP 2015-08 & SPR 2015-17 - Three Monkeys Distribution

A noticed public hearing to consider a conditional use permit and site plan review to allow for the warehousing and distribution of beer. The project site is located on the east side of South Pine Street, approximately 450 feet south of its intersection with Maple Avenue (455 South Pine Street) in the I (Industrial) Zone District with an I (Industrial) General Plan land use designation. The applicant proposes to occupy a 1,000 square foot portion of a 7,500 square foot suite (APN: 012-230-036, 037 and 038). The Planning Commission will consider a Categorical Exemption for the project pursuant to CEQA Section 15301.

ADMINISTRATIVE REPORTS

COMMISSIONER REPORTS

ADJOURNMENT: The next regular meeting will be held on July 14, 2015.

I, Zelda León, Recording Secretary for the City of Madera Planning Commission, declare under penalty of perjury that I posted the above agenda for the regular meeting of the Planning Commission for June 9, 2015, near the front entrances of City Hall at 2:00 pm on June 3, 2015.



Zelda León, Recording Secretary

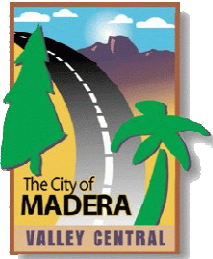
Any writing related to an agenda item for the open session of this meeting distributed to the Planning Commission less than 72 hours before this meeting is available for inspection at the City of Madera Planning Department, 205 W. 4th Street, Madera, CA 93637 during normal business hours.

In compliance with the Americans with Disabilities Act, the meeting room is accessible to the physically disabled and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices or translators needed to assist participation in the public meeting should be made at least seventy-two (72) hours before the meeting. Please call the Human Resources Office at (559) 661-5401. Those who are hearing impaired, may call 711 or 1-800-735-2929 for TTY Relay Services.

Pursuant to Section 65009 of the Government Code of the State of California, notice is hereby given that if any of the foregoing projects or matters is challenged in Court, such challenge may be limited to only those issues raised at the public hearing, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

All Planning Commission actions may be appealed to the City Council. The time in which an applicant may appeal a Planning Commission action varies from 10 to 30 days depending on the type of project. The appeal period begins the day after the Planning Commission public hearing. There is NO EXTENSION for an appeal period.

Para asistencia en Español sobre este aviso, por favor llame al (559) 661-5430.



<p>CITY OF MADERA</p> <p>PLANNING COMMISSION</p>	<p>205 W. Fourth Street Madera CA 93637 (559) 661-5430</p>
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**Staff Report: DPF Filters - REZ 2015-01, CUP 2015-05, CUP 2015-06,
 SPR 2015-15 & Environmental Determination
 Item #1 – June 9, 2015**

PROPOSAL: An application for rezone of an 8.25-acre parcel from the IP (Industrial Park) Zone District to the I (Industrial) Zone District to allow for the establishment of two uses. The first use is the maintenance and installation of diesel particulate filter systems on both diesel trucks and stationary diesel power generation systems. The second use is the storage of diesel “big rig” tractors and trailers.

APPLICANT:	Donald Holt	OWNER:	Future Investments, Ltd.
ADDRESS:	2832 North Golden State Blvd.	APN:	013-250-002
APPLICATIONS:	REZ 2015-01, SPR 2015-15 CUP 2015-05, CUP 2015-06	CEQA:	Categorical Exemption

LOCATION: The project site is located on the west side of Golden State Boulevard, approximately 800 north of the Ellis Street overpass.

STREET ACCESS: The site is accessed from North Golden State Boulevard.

PARCEL SIZE: Approximately 8.25 acres

GENERAL PLAN DESIGNATION: I (Industrial)

ZONING DISTRICT: IP (Industrial Park)

SITE CHARACTERISTICS: The project site is the former auto auction yard, located immediately west of the State Route 99 freeway right-of-way. A mini-storage facility is immediately north of the site and D&L Towing is directly south. Vacant industrial land is located west of the project site.

ENVIRONMENTAL REVIEW: The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301, (Existing Facilities).

SUMMARY & RECOMMENDATION: The proposed rezone provides consistency with the General Plan. The proposed uses are compatible with the surrounding industrial activities and are allowed within the I (Industrial) Zone District with the approval of a conditional use permit. Staff recommends approval of the conditional use permits, site plan review, and adoption of a Resolution recommending to the City Council adoption of an ordinance rezoning the property for the project site.

APPLICABLE CODES AND PROCEDURES

MMC §10-3.1002, Industrial Zones, Uses Permitted
MMC §10-3.1501, Amendments
City of Madera General Plan, adopted October 7, 2010

PRIOR ACTION

There are no entitlements active on the project site. The formerly “grandfathered” auto auction use has been discontinued for an extended period of time.

ANALYSIS

Rezone

The project site is within the I (Industrial) General Plan land use designation, which allows for both light and heavy industrial development. The project site is currently within the IP (Industrial Park) Zone District. Both the current IP (Industrial Park) Zone District and requested I (Industrial) Zone District are consistent with the I (Industrial) General Plan land use designation.

This application was made with the intent of resolving business license citations active on the site. The diesel particulate filter system installation business and truck storage yard are not allowed uses in the IP (Industrial Park) Zone District and no business license could be approved. The I (Industrial) Zone District provides a more expansive use schedule, which would provide for an allowance for the currently non-permitted uses active on the site with Planning Commission approval of a conditional use permit.

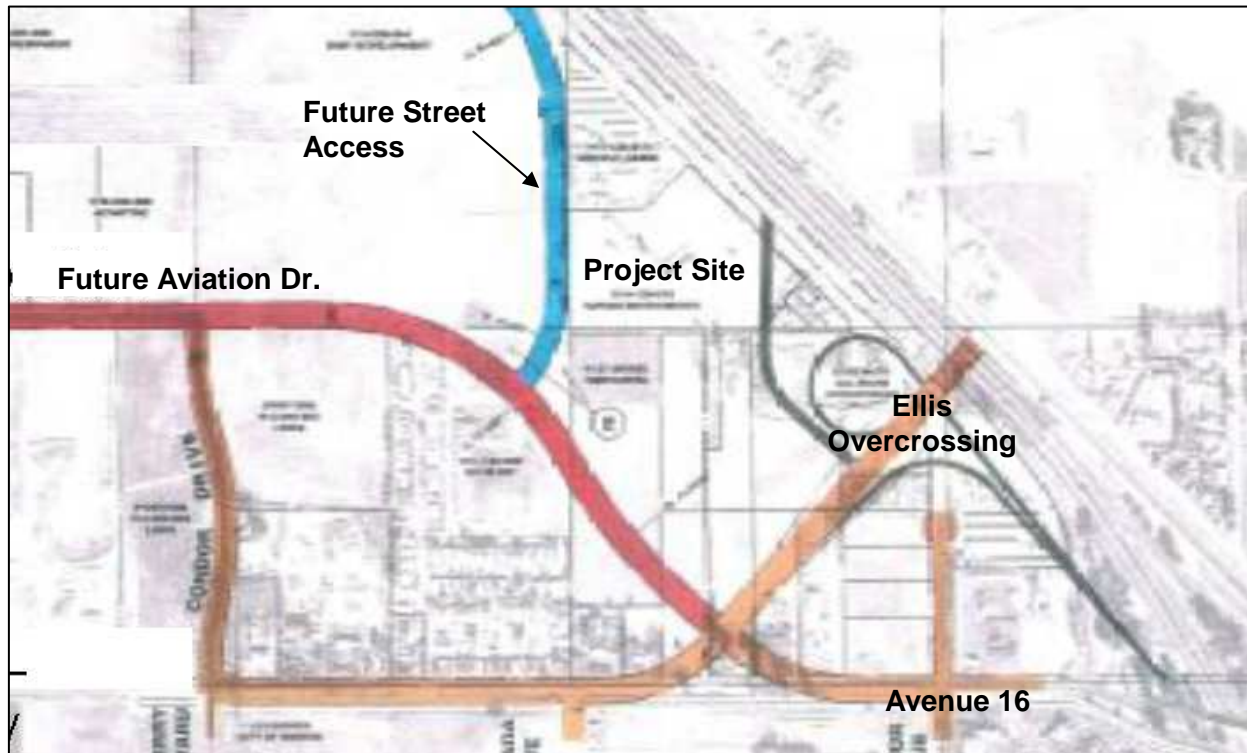
In addition to resolving current conditions of noncompliance, a rezone to the I (Industrial) Zone District is consistent with land use planning principle. Typically, the IP (Industrial Park) Zone District is applied over a larger area of land that can be developed cohesively into an industrial campus with unifying “park-like” features. For example, much of the industrial lands south of Lions Town and Country Park are developed in the IP zone. This large area of industrial land is ideal for application of the IP zone development standards which include enhanced setbacks and landscaping, cumulatively creating an industrial park complex. In this case, the project site is only 8.25 acres in size; not a suitable area to develop the desired industrial campus look and feel.

The I (Industrial) Zone District is also the dominant zone applied to the adjacent Airport Industrial Park and is the applicable land use designation of Specific Plan No. 1. The requested rezone to the I (Industrial) Zone District would provide better cohesiveness with the adjoining industrial lands in proximity to the Airport Industrial Park.

Utilities

There are no City services available to serve the project site. Sewer and water services are located approximately 1000 feet south of the project site. No extension of services is proposed at this time though, since the street circulation patterns anticipated in the surrounding area is expected to dramatically change in the future. Whereas this property currently takes access to the public right-of-way from its eastern boundary with North Golden State Boulevard, in the future, North Golden State Boulevard will end south of the Ellis Street overpass and new interior streets will provide access from the west. The eastern portion of the property could also be incorporated into an Ellis Street freeway interchange, although there are no plans for such a facility in the foreseeable future. Please see the exhibit on the following page for clarity. These

Street improvements would be consistent with the City's Master Plans. Because of the future changes anticipated to occur in proximity to the project site, requiring the extension of services is not being recommended at this time. It should be expected that connections to City services will occur in the future when those services are extended to serve the property.



Conditional Uses

Accompanying the rezone request are two applications for conditional use permit. The first request would allow for the maintenance and installation of diesel particulate filter (DPF) systems on both diesel trucks and stationary diesel power generation systems. These DPF systems reduce emissions from diesel motors and are required by law to improve air quality. The activity currently occurs within and in proximity to the existing garage structure formerly used as a component of the auto auction use. In that the use is not called out as a permitted use in the I (Industrial) Zone District, ordinance provides that uses in the opinion of the Planning Commission may be permitted only if a use permit is first secured in each case. Since the use can be considered compatible to other uses allowed in the I (Industrial) Zone District, it is recommended that the use permit be conditionally approved.

The second use permit request is to allow for the storage of diesel "big rig" tractors and trailers on the project site. The city currently has a limited number of truck storage locations. With the expansive area formerly used for display of auction vehicles, the project site could be easily repurposed to provide for truck storage parking. The truck storage use is also not called out as a permitted use in the I (Industrial) Zone District. Ordinance provides that the use may be permitted only if a use permit is first secured from the Planning Commission. Since the use can be considered compatible to other uses allowed in the I (Industrial) Zone District, it is recommended that the use permit be conditionally approved.

Remembering that the two uses were established without the approval of the City, and that a rezone is required to provide an avenue for the establishment of the activities, and in light of the deferred improvements recommended for the project site, staff supports the two uses



contingent upon the installation of landscape screening along the property frontage. The project site is highly visible from the State Route 99 freeway corridor and truck storage may not best satisfy the General Plan policies that encourage “aesthetic value” for industrial sites in public view. Even with the deferred requirements for the extension of City infrastructure to the project site, landscaping is absolutely necessary to provide consistency with General Plan goals and policies for industrial development. It is recommended that the entire project frontage to North Golden State Boulevard should be landscaped with screening vegetation sufficient to enhance the aesthetics of the property frontage while screening the activities within.

The two proposed use permit requests are compatible with one another, compatible with surrounding uses, and function to provide for repurposing of the former auto auction yard property. As conditioned, the cumulative project resolves a code violation and provides for the immediate use of a property now where future street and infrastructure improvements will one day drastically alter the functionality of the site. The following conditions of approval are recommended:

- Only “big rig” tractors and trailers should be allowed for storage on the property, with no allowance for recreational vehicles, boats or other types of commercial or personal vehicles.
- A parking layout for “big rig” truck storage should be reviewed and approved by the Planning Department so as to ensure an organized truck parking field.
- The unpaved parking lot surface should be improved with a gravel surface to reduce airborne dust and particulate matter.
- The “big rig” parking field should be screened from view by incorporation of a landscaped property frontage.

Signage

Currently, signage has been painted on the existing structure. It would appear that this signage is over the maximum allowable on-building signage in an industrial zone. Non-permitted banners are also utilized on the perimeter fencing of the project site as a supplement to on-building signage. It is recommended that the applicant secure all required permits for signage and, if necessary, remove non-permitted on-building signage. It is also recommended that banners be permanently removed from the perimeter fencing in order to improve visual aesthetics from the State Route 99 viewshed. As an alternative, the applicant may propose to install a permanent freestanding sign as a component of permitted signage.

Landscaping

A landscaping plan has not been included as a part of the initial rezone and conditional use permit submittals. A landscaping and irrigation plan will need to be approved by the Planning

Department as a component of the business license permit process. The landscaping plan will need to provide sufficient screening of the site to enhance aesthetic value. A condition of approval has been proposed that allows staff to approve final landscaping and irrigation plans that demonstrate conformance with the goals and policies of the General Plan.

Other Department and Agency Comments

The project was reviewed by various City Departments and outside agencies. The responses and recommendations have been incorporated into the recommended conditions of approval included in this report.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

The first of the four core vision statements in the Vision Plan is “a well-planned city”. The Commission, by considering how this development connects to other developments and how the neighborhood and infrastructure can be maintained, is actively implementing this key concept of the Vision Plan. Moreover, approval of the project will help facilitate “a broad spectrum of business opportunities” and is specifically consistent with Strategy 215, which requires that we “Ensure educational and occupational opportunities are available for all Maderans.”

RECOMMENDATIONS

The information presented in this report supports conditional approval of the project. It is recommended that the Commission consider this information, together with testimony provided at the public hearing, and adopt a Resolution recommending approval of the rezone to the City Council. It is further recommended that the Planning Commission approve the requested conditional use permits and site plan review subject to the conditions of approval.

PLANNING COMMISSION ACTION

The Commission will be acting on Rezone 2015-01, Conditional Use Permits 2015-05 and 2015-06, and Site Plan Review 2015-15 to allow for the establishment of two uses, determining to either

- approve the applications with or without conditions
- continue the hearing, or
- deny the applications

Any action by the Commission approving or denying the application is subject to appeal to the City Council within 15 calendar days of the Commission’s action.

Motion 1: Move to adopt a Resolution recommending to the City Council the approval of Rezone 2015-01, Conditional Use Permits 2015-05 and 2015-06, and Site Plan Review 2015-15, with the findings and conditions as stated:

Findings

- This project is categorically exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA) since there will be negligible expansion of the existing use of the structure.

- The proposed rezone will provide the required consistency between the General Plan and zoning.
- The rezone is not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or the city.
- As conditioned, development of the site is consistent with the Madera General Plan principles, goals and policies.
- The maintenance and installation of diesel particulate filter systems on both diesel trucks and stationary diesel power generation systems is consistent with the purpose of the I (Industrial) General Plan designation and the I (Industrial) Zone District which provide for the use, subject to the issuance of a conditional use permit.
- The storage of diesel “big rig” tractors and trailers is consistent with the purposes of the I (Industrial) General Plan designation and the I (Industrial) Zone District which provide for the use, subject to the issuance of a conditional use permit.
- There is adequate parking and site features to allow for the proposed use(s) of the property.
- As conditioned, the development will be compatible with surrounding properties.
- As conditioned, the establishment, maintenance or operation of the use(s) will not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the city.

Conditions of Approval

General Conditions

1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by receipt in the Planning Department of the applicant’s signature upon an Acknowledgement and Acceptance of Conditions within thirty days of the date of approval for this use permit.
2. Conditional Use Permit 2015-05 allows for the maintenance and installation of diesel particulate filter systems on both diesel trucks and stationary diesel power generation systems, consistent with the stated conditions of approval. CUP 2015-05 will become null and void with the discontinuance of the use on the site.
3. Conditional Use Permit 2015-06 allows for the parking/storage of diesel “big rig” tractors and trailers, consistent with the stated conditions of approval. CUP 2015-06 will become null and void with the discontinuance of the use on the site or the expiration of CUP 2015-05.
4. Site Plan Review 2015-15 will expire one year from date of issuance, unless positive action is taken on the project as provided in the Municipal Code or the required action is taken to extend the approval before expiration date (Municipal Code Section 10-3.4.0114, Lapse of Site Plan Approval).

5. This use permit shall be subject to periodic reviews and inspection by the City to determine compliance with the conditions of approval and applicable codes. If at any time, the use is determined by Staff to be in violation of the conditions of approval, Staff may schedule a public hearing before the Planning Commission within 45 days of the violation to consider revocation of the permit.

Planning Department

6. Vandalism and graffiti shall be corrected per the Madera Municipal Code.
7. The property owner, operator and manager shall keep the property clear of all trash, rubbish and debris at all times; and dumping of refuse shall be restricted to the dumpster and refuse containers owned by the property owner. Outdoor storage of goods or materials shall not be allowed.
8. The applicant shall operate in a manner that does not generate significant noise, odor or vibration that adversely affects any adjacent properties.
9. The applicant shall comply with all federal, state and local laws. Material violation of any applicable laws concerning the use will be cause for revocation of this permit.
10. Site Data
 - One (1) parcel, approximately 8.25 acres (APN: 013-250-002)
 - Building Area – Approximately 7,200 square feet.
 - Approved Use of Buildings: Diesel truck filter service and installation “Big Rig” Truck Storage (as a component of the DPF use)
 - Minimum Parking Requirements: 22 parking stalls
 - Parking Provided: There is more than sufficient parking available.
 - Loading Spaces Required: None
11. There shall be no limitation on the hours of operation for the diesel particulate filter systems business or the associated “big rig” tractor and trailer parking/storage use. The uses shall be operated as one cohesive business.
12. When the diesel particulate filter systems business is discontinued, the associated “big rig” tractor and trailer parking/storage use shall also cease.
13. No recreational vehicles, boats or other types of commercial or personal vehicles shall be stored on the site. Only the parking/storage of “big rig” tractors and trailers shall be permitted.
14. The unpaved parking lot surface shall be improved with a gravel surface. The unpaved vehicle parking and traffic areas shall be maintained consistent with the San Joaquin Valley Air Pollution Control District’s Rule 8071 – Unpaved Vehicle/Equipment Traffic Areas at all times.
15. A parking layout for “big rig” truck storage shall be reviewed and approved by the Planning Department so as to ensure an organized truck parking field.
16. The “big rig” parking field shall be screened from view by incorporation of a landscaped property frontage.

Signage

17. All signage shall be consistent with the Madera Municipal Code.
18. The applicant shall secure all required permits for signage and, if necessary, remove non-permitted on-building signage.
19. No signage, to include banners, shall be attached to or displayed from the perimeter fencing. As an alternative, the applicant may propose to install a permanent freestanding sign as a component of permitted signage.

Landscaping

20. The entire project frontage to North Golden State Boulevard shall be landscaped with screening vegetation sufficient to enhance the aesthetics of the property frontage while screening the activities within. A landscape and irrigation plan shall be submitted to the Planning Department for review and approval with thirty (30) days. All landscaping shall be installed within ninety (90) days after Planning Department approval.
21. The property owner shall maintain all landscaping in a healthy and well manicured appearance to achieve and maintain the landscaping design that was approved by the City. This includes, but is not limited to, ensuring properly operating irrigation equipment at all times, trimming and pruning of trees and shrubs, mowing lawns consistent with industry standards, and replacing dead or unhealthy vegetation.

Engineering Department

General Conditions

22. Nuisance onsite lighting shall be redirected as requested by the City Engineer within 48 hours of notification.
23. Improvements within City right-of-way require an Encroachment Permit from the Engineering Department.
24. The developer shall pay all required fees for completion of project. Fees due may include but shall not be limited to the following: agreement processing, plan review, encroachment permit processing and improvement inspection fees.
25. The developer shall make application to enter into a deferral agreement for participation of constructing future street improvements along its western property line in accordance with the City of Madera Circulation Element and Airport Specific Plan.
26. At such time that City water service are extended to and/or across the property frontage to the public right-of-way, the property shall make connection and pay all necessary connection and impact fees.
27. At such time that City water service are extended to and/or across the property frontage to the public right-of-way, the property shall make connection and pay all necessary connection and impact fees.

Fire Department Conditions

28. Site access must be maintained around the parking lot. Fire lanes must be posted in accordance with the California Fire Code and California Vehicle Code.
29. A key box will be required for emergency access.
30. Portable fire extinguishers are required in accordance with the California Fire Code.

(OR)

Motion 2: Move to continue the application for Rezone 2015-01, Conditional Use Permits 2015-05 and 2015-06, and Site Plan Review 2015-15 to the July 14, 2015 Planning Commission meeting.

(OR)

Motion 3: Move to deny the application for Rezone 2015-01, Conditional Use Permits 2015-05 and 2015-06, and Site Plan Review 2015-15, based on the following findings: (specify)

ATTACHMENTS

Aerial Map

General Plan Map

Zoning Map

Resolution of Recommendation to the City Council

Exhibit A - Zoning Map

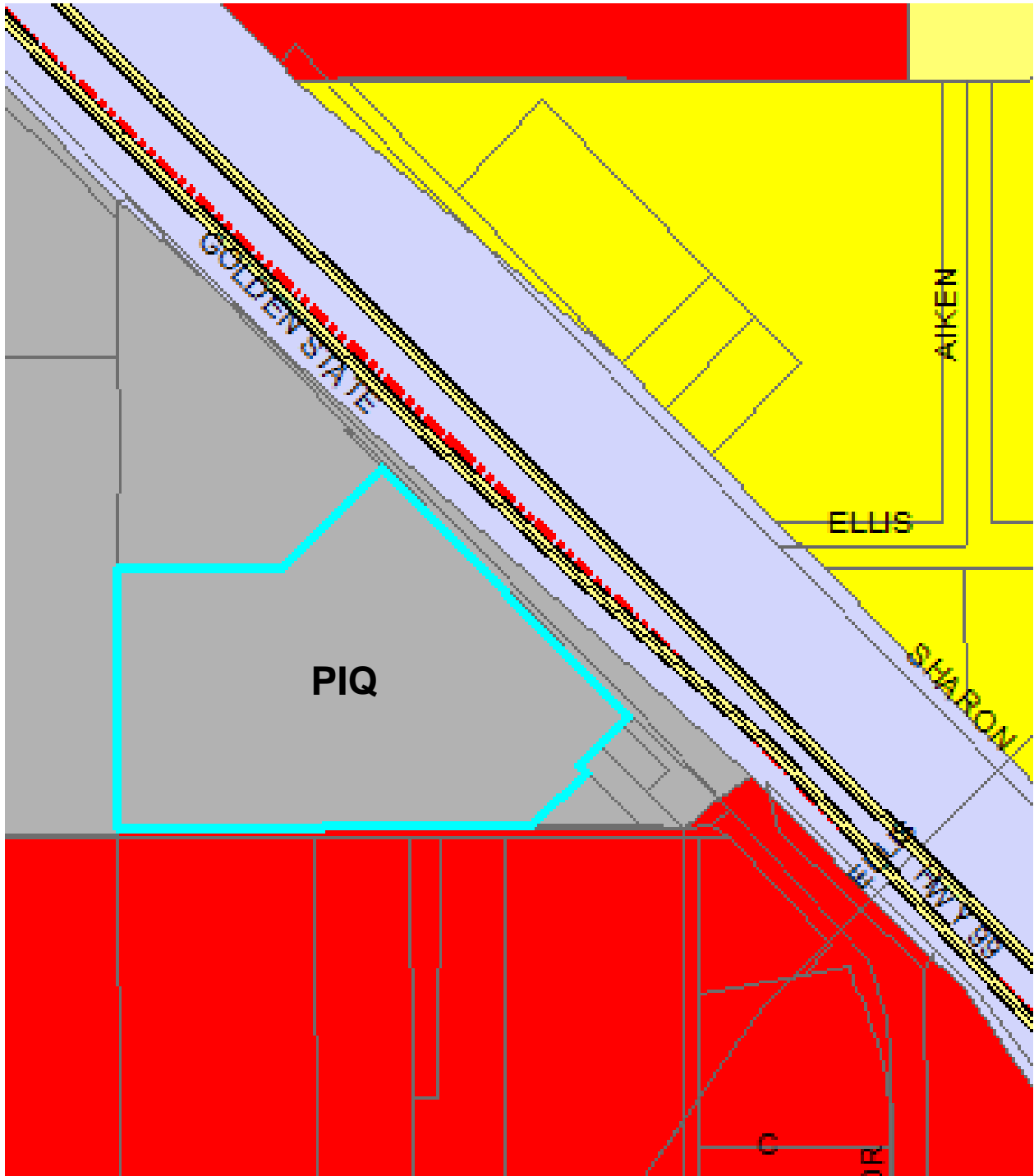
Draft Ordinance

Exhibit A - Zoning Map

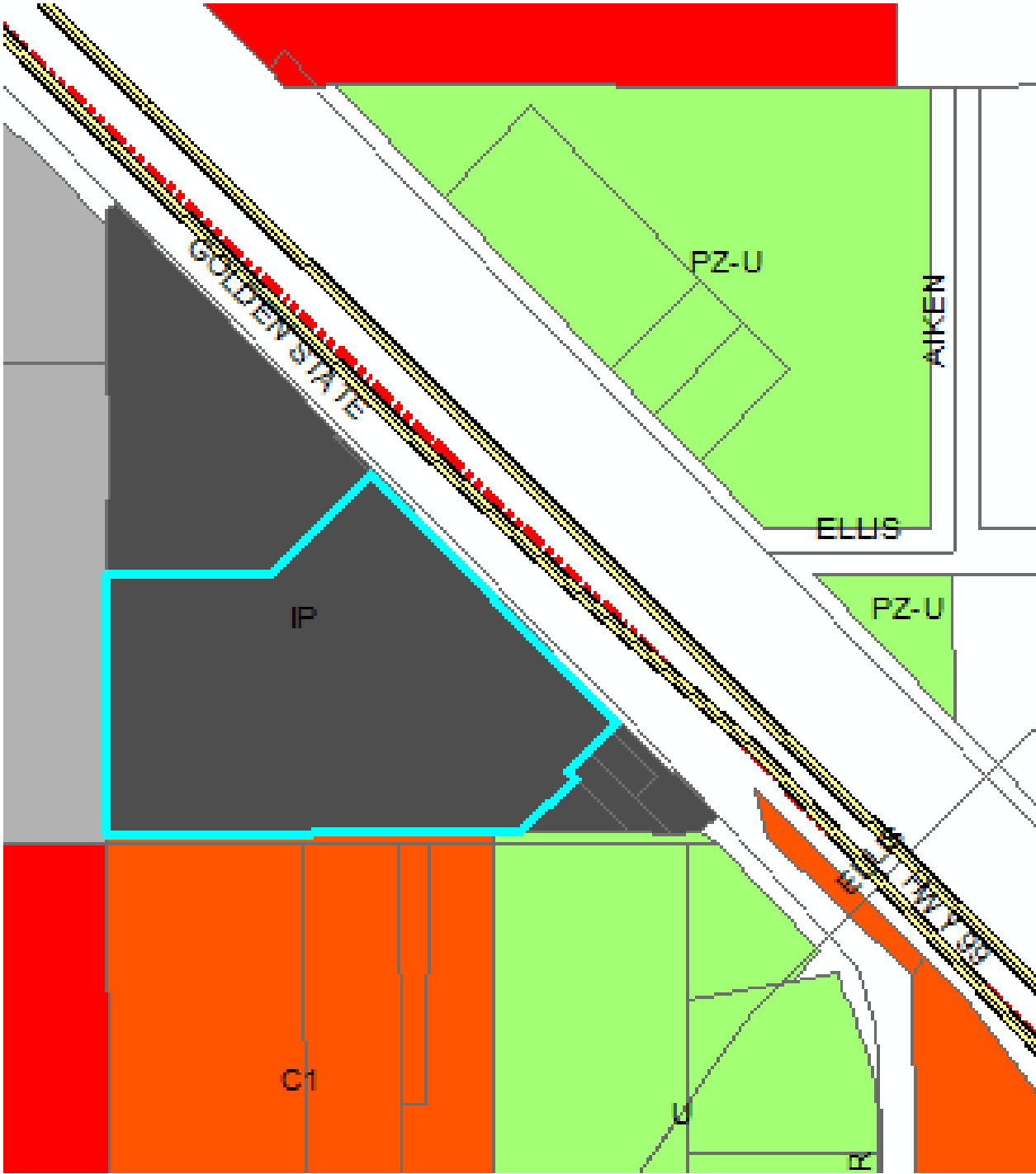
Aerial Photo



General Plan Map



Zoning Map



RESOLUTION NO. _____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF MADERA ADOPTION OF AN ORDINANCE REZONING PROPERTY LOCATED ON THE WEST SIDE OF NORTH GOLDEN STATE BOULEVARD APPROXIMATELY 800 FEET NORTH OF THE ELLIS STREET OVERPASS FROM THE IP (INDUSTRIAL PARK) ZONE DISTRICT TO THE I (INDUSTRIAL) ZONE DISTRICT.

WHEREAS, State Law requires that local agencies adopt General Plans containing specific mandatory elements; and

WHEREAS, The City of Madera has adopted a Comprehensive General Plan Update and Environmental Impact Report, and the City of Madera is currently in compliance with State mandates relative to Elements of the General Plan; and

WHEREAS, State law also provides for periodic review, updates, and amendments of its various Plans; and

WHEREAS, a proposal has been made to rezone approximately 8.25 acres of property located on the west side of North Golden State Boulevard approximately 800 feet north of the Ellis Street overpass (2832 North Golden State Boulevard), resulting in a change from the IP (Industrial Park) Zone District to the I (Industrial) Zone District, as shown in the attached Exhibit A; and

WHEREAS, the proposed rezone will provide the required consistency between the General Plan and Zoning Ordinance; and

WHEREAS, the Rezone is compatible with the neighborhood and is not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or the City; and

WHEREAS, the City of Madera, acting as the Lead Agency, has determined the project to be Categorically Exempt, in compliance with the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities); and

WHEREAS, the rezoning proposal was distributed for public review and comment to various local agencies and groups, and public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission has completed its review of the Staff Report and documents submitted for the proposed project, evaluated the information contained therein, and considered testimony received as a part of the public hearing process.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MADERA AS FOLLOWS:

1. The above recitals are true and correct.
2. The Planning Commission hereby recommends that proposed rezoning, as shown in Exhibit A, is consistent with the General Plan and is compatible with adjacent zoning and uses.
3. The Planning Commission hereby recommends the City Council adopt an ordinance rezoning property as indicated on the attached Exhibit A.
4. This resolution is effective immediately.

* * * * *

Passed and adopted by the Planning Commission of the City of Madera this 9th day of June, 2015, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

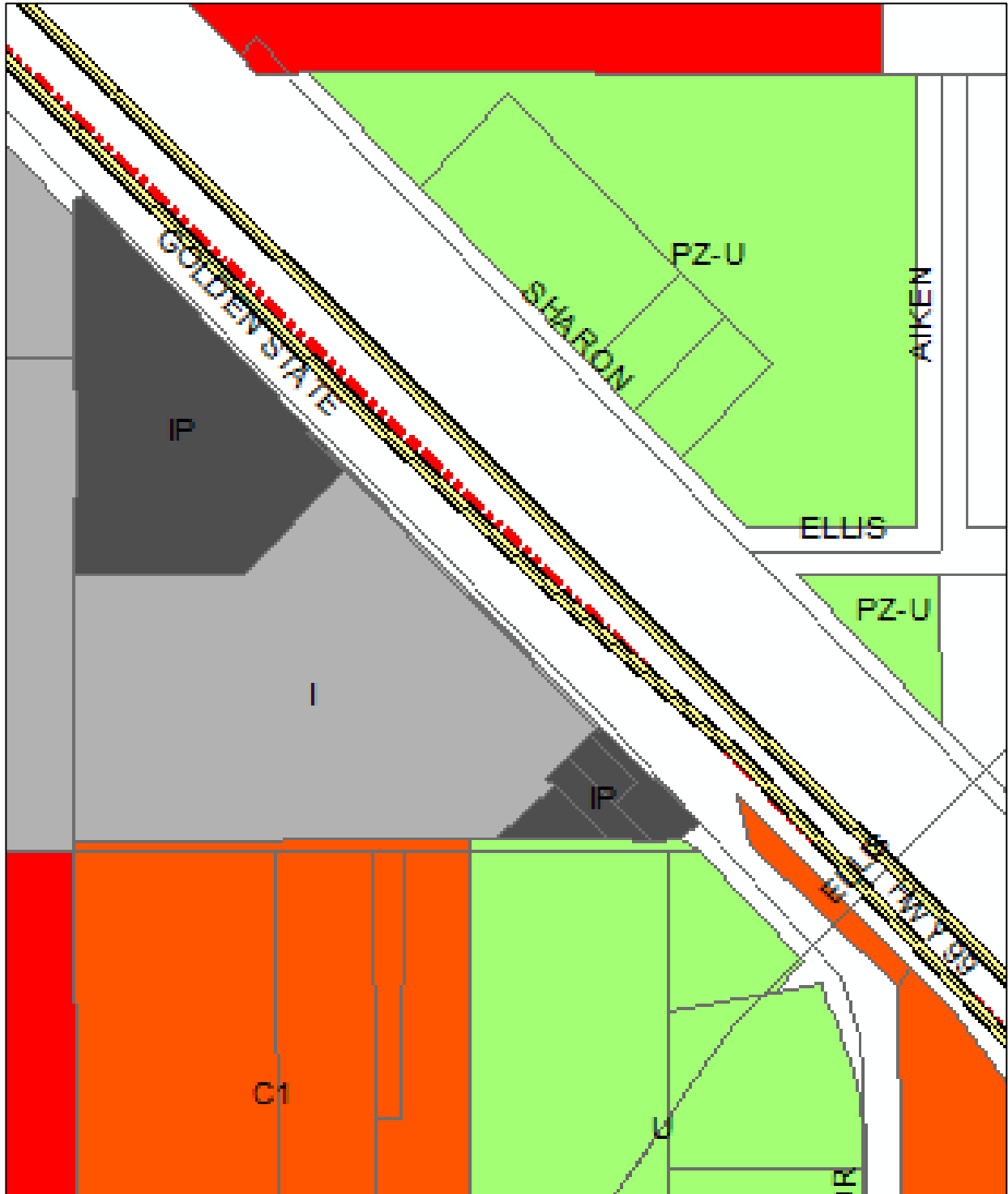
Kenneth Hutchings, Chairperson
City Planning Commission

Attest:

Christopher F. Boyle
Planning Manager

PLANNING COMMISSION RESOLUTION NO, ____

EXHIBIT 'A'



DRAFT ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 8.25 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF NORTH GOLDEN STATE BOULEVARD APPROXIMATELY 800 FEET NORTH OF THE ELLIS STREET OVERPASS FROM THE IP (INDUSTRIAL PARK) ZONE DISTRICT TO THE I (INDUSTRIAL) ZONE DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MADERA AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Madera and this Council have held public hearings upon the rezoning of this property and have determined that the proposed rezoning is consistent with the General Plan as amended and subsequent development will be in conformance with all standards and regulations of the Municipal Code.

SECTION 2. The City of Madera Zoning Map as provided for in Chapter 3 of Title 10 of the Madera Municipal Code is hereby amended as illustrated in the hereto attached Exhibit "A" which indicates the segment of the City of Madera Zoning Map to be amended. Unless the adoption of this amendment to the Zoning Map is lawfully stayed, thirty-one (31) days after adoption of this amendment, the Planning Director and City Clerk shall cause these revisions to be made to the City of Madera Zoning Map which shall also indicate the date of adoption of this revision and be signed by the Planning Director and City Clerk.

SECTION 3. Based upon the testimony and information presented at the hearing, the adoption of the proposed rezoning is in the best interest of the City of Madera, and the Council hereby approves the rezoning based on the following findings:

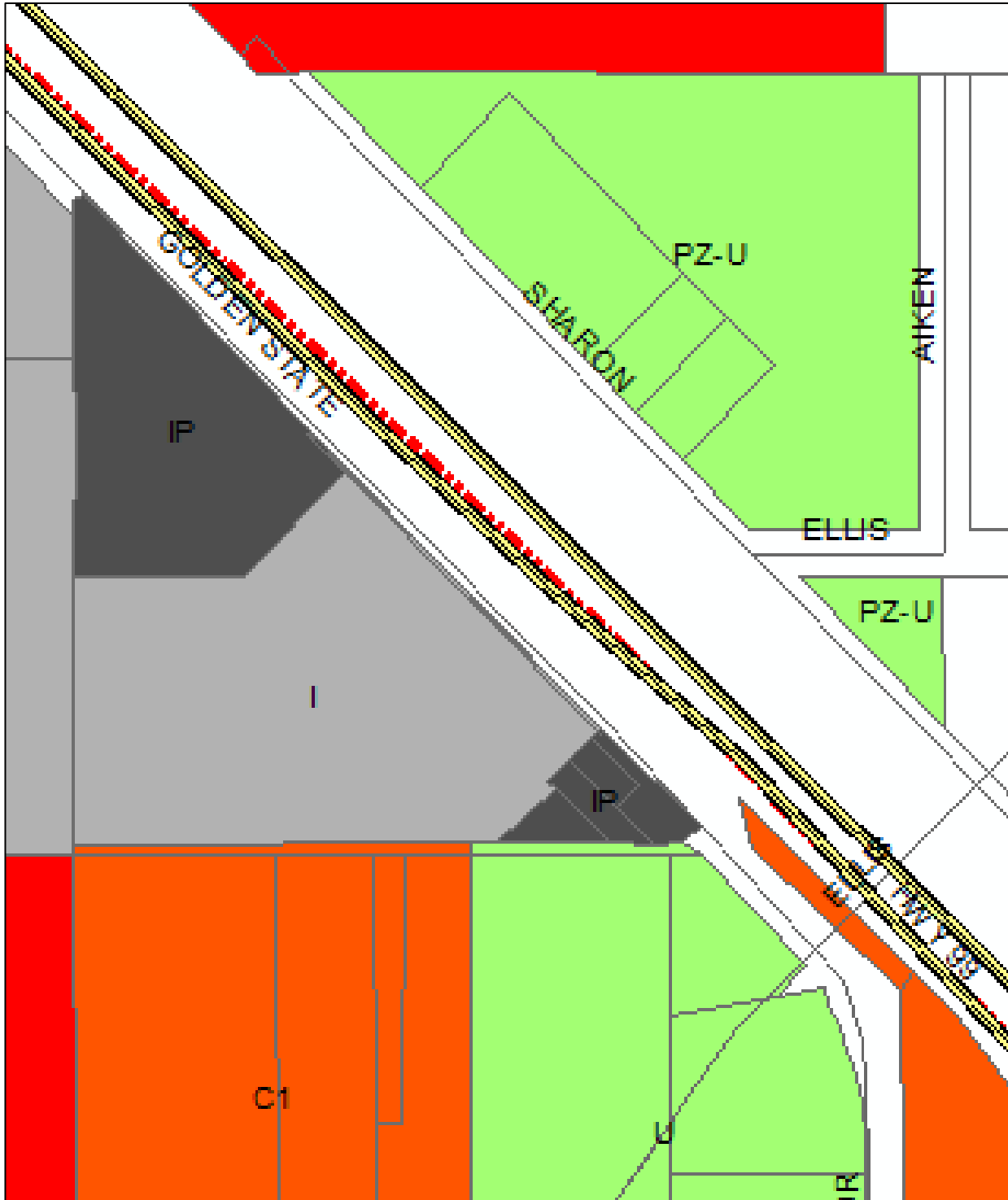
FINDINGS:

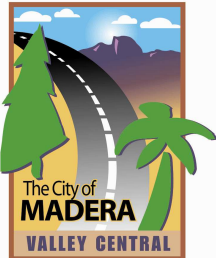
1. THE PROPOSED REZONE WILL PROVIDE THE REQUIRED CONSISTENCY BETWEEN THE GENERAL PLAN AMENDMENT AND ZONING.
2. THE REZONE IS NOT EXPECTED TO BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, COMFORT OR GENERAL WELFARE OF THE NEIGHBORHOOD OR THE CITY.
3. CITY SERVICES AND UTILITIES ARE AVAILABLE OR CAN BE EXTENDED TO SERVE THE AREA.

SECTION 4. This Ordinance shall be effective and of full force and effect at 12:01 a.m. on the thirty-first day after its passage.

* * * * *

DRAFT ORDINANCE - EXHIBIT A





<p>CITY OF MADERA</p> <p>PLANNING COMMISSION</p>	<p>205 W. Fourth Street Madera CA 93637 (559) 661-5430</p>
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Staff Report: Evolution Strength & Conditioning
CUP 2015-07, ZAP 2015-07, SPR 2015-16 & Categorical Exemption
Item #2 – June 9, 2015

PROPOSAL: An application for a conditional use permit, zoning administrator’s permit, and site plan review to allow for the establishment of a fitness facility and frozen food warehouse for a smoothie business.

APPLICANT:	Ritesh Patel	OWNER:	David Berry
ADDRESS:	528 Noble Street, Suite 116	APN:	012-401-010
APPLICATION:	CUP 2015-07, ZAP 2015-07 & SPR 2015-016	CEQA:	Categorical Exemption

LOCATION: The site is located on the west side of Noble Street, approximately 200 feet north of its intersection with Gill Avenue. The applicant proposes to occupy a 5,000 square foot suite of a 37,500 square foot building.

STREET ACCESS: Access to the parcel is provided via Noble Street.

PARCEL SIZE: Approximately 2.71 acres

GENERAL PLAN DESIGNATION: I (Industrial)

ZONING DISTRICT: I (Industrial)

SITE CHARACTERISTICS: The use proposes to locate in a portion of an existing industrial building in an industrial park. Other tenants in the building include warehousing activities and a gymnastics facility.

ENVIRONMENTAL REVIEW: This project is categorically exempt under §15301 (Existing Facilities) of CEQA Guidelines.

SUMMARY & RECOMMENDATION: The industrial park has been utilized more and more by commercial uses over time. The site is a suitable location for a fitness facility. It is recommended that the conditional use permit and zoning administrator’s permit be approved as conditioned.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.802, I (Industrial) Zone
MMC § 10-3.1202, Parking Regulations
MMC § 10-3.1301, et seq., Use Permit Procedures
MMC § 10-3.417, Zoning Administrator

The Zoning Administrator shall have and decide land use approvals as specified by the various zoning districts.

The City's Zoning Ordinance allows for the granting of a use permit by the Planning Commission subject to the Planning Commission being able to make findings that the establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

If the Commission cannot make the appropriate findings, the use should be denied. Conditions may be attached to the approval of the use permit to ensure compatibility. Project design may be altered and on or off-site improvements required in order to make the project compatible with nearby uses. In addition, the application may be subject to further review, modification or revocation by the Commission as necessary.

PRIOR ACTION

Site Plan Review 2006-09 was completed to allow for the development of a 37,500 square foot shell building within an existing industrial complex.

ANALYSIS

Background

The proposed use would utilize 5,000 square feet of an existing structure for two businesses. Approximately half of the space will be utilized as Evolution Strength and Conditioning fitness facility with approval of the use permit. The other half of the tenant space, with approval of the zoning administrator's permit, will serve as warehousing space for a Swirl Smoothie business. The businesses would be located within a building originally constructed to serve as an industrial warehouse. Over time, the use of the building has converted from the original vision for the property into the present condition where multiple tenant spaces serve in varying capacities, including offices, warehousing, auto uses, and a gymnastics facility. Issues discussed as part of this analysis include operational concerns, parking requirements and site improvements.

Operations

The Evolution Strength and Conditioning fitness facility would occupy approximately 2,500 square feet of the 5,000 square foot tenant space. The space would accommodate many training areas including an exercise mat, weight training area, and cardio machines. A small retail component, offering drinks, apparel, and dietary products, will also be offered to clients. An office completes the utilization of the space. A new ADA compliant restroom is required to provide a total of two restrooms. The applicant proposes to operate the business from 6:00 am

to 8:00 pm. The remainder of the tenant suite would serve as warehouse space for the applicant's Swirl Smoothie and Nutrition Shop business. This area would include an office space and multiple cold storage boxes.

The proposed uses are compatible with other businesses currently occupying the building as the warehousing uses generate very limited amounts of traffic, and the gymnastics facility is analogous to a fitness facility. It should be noted, however, that the site's existing zoning allows a range of industrial uses that would not require discretionary approval. As such, the applicant should be aware of the possibility that future tenants in the immediate vicinity may be of a nature that might not be considered complimentary to a fitness facility.

Parking

The project site is developed with seventy two (72) parking stalls including three (3) accessible spaces. There is also space on the parcel that could potentially be developed into additional parking. Parking demands for the site as proposed are listed by use:

Business	Size (sf)	Use	Parking Req.
Evolution Strength & Conditioning	5,000	Fitness	4 stalls
Swirl Smoothie		Warehouse	2 stalls
Gymnastics students	12,500	1:3 students	42 stalls
Gymnastics employees		1:2 employees	3 stalls
Always Towing	5,000	Auto shop	4 stalls
Auto Restore	5,000	Auto shop	4 stalls
Silva Ford	5,000	Warehouse	4 stalls
State of California	5,000	Warehouse	4 stalls
Total	37,500 sf		67

With sixty-seven (67) parking stalls required per ordinance, there would be sufficient parking for the uses as proposed. The parking calculation of four (4) required parking stalls for the fitness facility is based on a proposal of ten (10) students and two (2) employees. Parking is in place on the site to accommodate the demands of both the fitness business and the warehousing use.

Site Improvements

A site plan review was conducted as part of this application. The industrial park was originally designed and constructed to serve industrial warehouse uses. Over time, the building occupants have shifted to more commercial uses. The increased number of individuals accessing the park has necessitated the need for better pedestrian access. As required with the adjoining TEC Gymnastics use permit, it is recommended that sidewalk be constructed along the Noble Street frontage to better serve the use of the property.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

The first of the four core vision statements in the Vision Plan is "a well-planned city". The Commission, by considering how this development connects to other uses in this commercial/industrial area is actively implementing this key concept of the Vision Plan.

SUMMARY OF RECOMMENDATIONS

The information presented in this report supports conditional approval of the use permit, zoning administrator's permit, and site plan review request.

PLANNING COMMISSION ACTION

The Planning Commission will be acting on the Use Permit, Zoning Administrator's Permit, and minor Site Plan Review to allow for the establishment of a fitness facility and warehouse for a smoothie business, determining to either:

- approve the applications with or without conditions
- continue the hearing, or
- deny the applications

Any action by the Commission approving or denying the application is subject to appeal to the City Council within 15 calendar days of the Commission's action.

Motion 1: Move to approve Conditional Use Permit 2015-07, Zoning Administrator's Permit 2015-07, and Site Plan Review 2015-16, based on and subject to the findings and conditions of approval:

Findings

- This project is categorically exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA) since there will be no expansion of the existing structure.
- The establishment of a fitness facility is consistent with the purposes of the I (Industrial) General Plan land use designation and the I (Industrial) Zone District which provide for the use, subject to the issuance of a conditional use permit.
- Warehousing of frozen food products is consistent with the purposes of the I (Industrial) General Plan land use designation and the I (Industrial) Zone District which provide for the use, subject to the issuance of a zoning administrator's permit.
- There is adequate parking and site features to allow for the proposed uses.
- As conditioned, the development will be compatible with surrounding properties.
- As conditioned, the establishment, maintenance or operation of the use will not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the city.

CONDITIONS OF APPROVAL

General Conditions

1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by receipt in the Planning Department of the applicant's signature upon an Acknowledgement and Acceptance of Conditions within thirty (30) days of the date of approval for this use permit.
2. Site Plan Review 2015-16 will expire one year from date of issuance, unless positive action is taken on the project as provided in the Municipal Code or required action is taken to extend the approval before expiration date (Municipal Code Section 10-3.4.0114, Lapse of Site Plan Approval).
3. The use permit may be made null and void without any additional public notice or hearing at any time upon both the benefactors of the use permit and owners of the property voluntarily submitting to the City a written request to permanently extinguish the conditional use permit.
4. The applicant's failure to utilize this use permit within one year following the date of this approval shall render the conditional use permit null and void unless a written request for extension has been submitted to and approved by the Planning Commission.
5. Conditional Use Permit 2015-07 will expire and be rendered null and void if the use is discontinued for a twelve month period unless a written request for extension has been submitted to and approved by the Planning Commission.
6. This use permit shall be subject to periodic reviews and inspection by the City to determine compliance with the conditions of approval and applicable codes. If at any time, the use is determined by Staff to be in violation of the conditions of approval, Staff may schedule a public hearing before the Planning Commission within 45 days of the violation to consider revocation of the permit.
7. The site or building plans submitted for any building permit applications shall reflect changes required by the herein listed conditions of approval. Any deviation from the approved plan or any condition contained herein shall require, at a minimum, prior written request by the applicant and approval by the Planning Manager.
8. Any proposed future modifications to the site, including but not limited to building exteriors, parking/loading areas, fence/walls, new buildings or landscaping shall require an amendment to this site plan review.
9. It shall be the responsibility of the property owner and management to ensure that any required permits, inspections and approvals from any regulatory agency shall be obtained from the concerned agency prior to establishment of the use.
10. The applicant shall acknowledge that other businesses may locate in the immediate vicinity, as allowed in an industrial zone, which may generate significant noise, odor or vibration that would not be considered complimentary to the fitness facility.

Building Department

11. Site development shall be consistent with the approved site plan and floor plan. The uses of all rooms and activity areas shall be identified on any plans submitted for issuance of building permits. Applicant must demonstrate the number of restrooms provided meets code or add additional restrooms as required.
12. Current State of California and federal handicap requirements shall apply to the entire site and all structures and parking thereon. Compliance shall be checked at permit stage, shall be confirmed at final inspection and shall apply to proposed and future development.
13. Additional items identified as not complying with current codes and ordinances which require correction or attention may be identified. Any item not in conformance with current codes and ordinances must be corrected.

Engineering Department

General

14. Nuisance onsite lighting shall be redirected as requested by the City Engineer within 48 hours of notification.
15. The improvement plans for the project shall include the most recent version of the City's General Notes.
16. Developer shall pay all required fees for completion of project. Fees due may include but shall not be limited to the following: plan review, encroachment permit processing and improvement inspection fees.

Water

17. Existing water service connection must be to current City standards including Automatic Meter Read water meter located within city right-of-way and a backflow prevention device, located within private property.

Street

18. Owner shall make application to enter into a deferral agreement with the City for the construction of sidewalk along the project's Noble Street parcel frontage. Deferral processing fee in the amount of \$350 is due before staff commences preparation of the agreement. Deferral agreement shall be executed prior to issuance of occupancy, or improvements shall be completed.

Fire Department

19. A building permit for change in occupancy classification will be required to determine all of the proposed requirements prior to occupancy or alteration of the premises to be altered.

20. Portable fire extinguishers are required. A minimum of one 2A10BC rated fire extinguisher is required for each 3,000 square feet of floor area or fraction thereof.
21. Egress from within the building must comply with requirements for placement of the door(s) and door hardware.
22. Occupancy separations shall be provided in accordance with the California Building Code and California Fire Code.
23. Alteration of the fire sprinklers will require a construction permit.

Planning Department

24. This use permit allows for the establishment of a fitness facility in approximately half of a 5,000 square foot tenant suite. The Zoning Administrator's Permit allows the remainder of the suite to be used for warehousing of frozen food product for a smoothie business. Alteration to the approved site plan may require amendment of the Conditional Use Permit and/or Site Plan Review.
25. Vandalism and graffiti shall be corrected per the Madera Municipal Code.
26. No outdoor activities shall be allowed. Outdoor storage of goods and/or materials shall not be allowed.
27. The applicant shall operate in a manner that does not generate significant noise, odor or vibration that adversely affects any adjacent properties.
28. The property owner, operator and manager shall keep the property clear of all trash, rubbish and debris at all times; and dumping of refuse shall be restricted to the dumpster/refuse containers owned by the property owner.
29. The applicant shall comply with all federal, state and local laws. Material violation of any applicable laws concerning the use will be cause for revocation of this permit.
30. The business may be open from as early as 6:00 am in the morning to as late as 9:00 pm at night, seven days a week.
31. The hosting of special events and competitions is not allowed for by this use permit. At no time shall the occupancy of the space exceed the occupancy load as determined by the Fire Official.
32. On-site parking shall be provided at all times in conformance with the Municipal Code. All required parking shall be permanently maintained with all parking spaces as shown on the submitted site plan. Any modifications in the approved parking layout shall require approval by the Planning Commission.
33. All signage shall be in compliance with the Madera Sign Ordinance. All signage is required to have an approved Sign Permit issued by the Planning Department per MMC §10-6.

(OR)

Motion 2: Move to continue the application for Conditional Use Permit 2015-07, Zoning Administrator's Permit 2015-07, and Site Plan Review 2015-16 to the July 14, 2015 Planning Commission meeting.

(OR)

Motion 3: Move to deny the application for Conditional Use Permit 2015-07, Zoning Administrator's Permit 2015-07, and Site Plan Review 2015-16, based on the following findings: (specify)

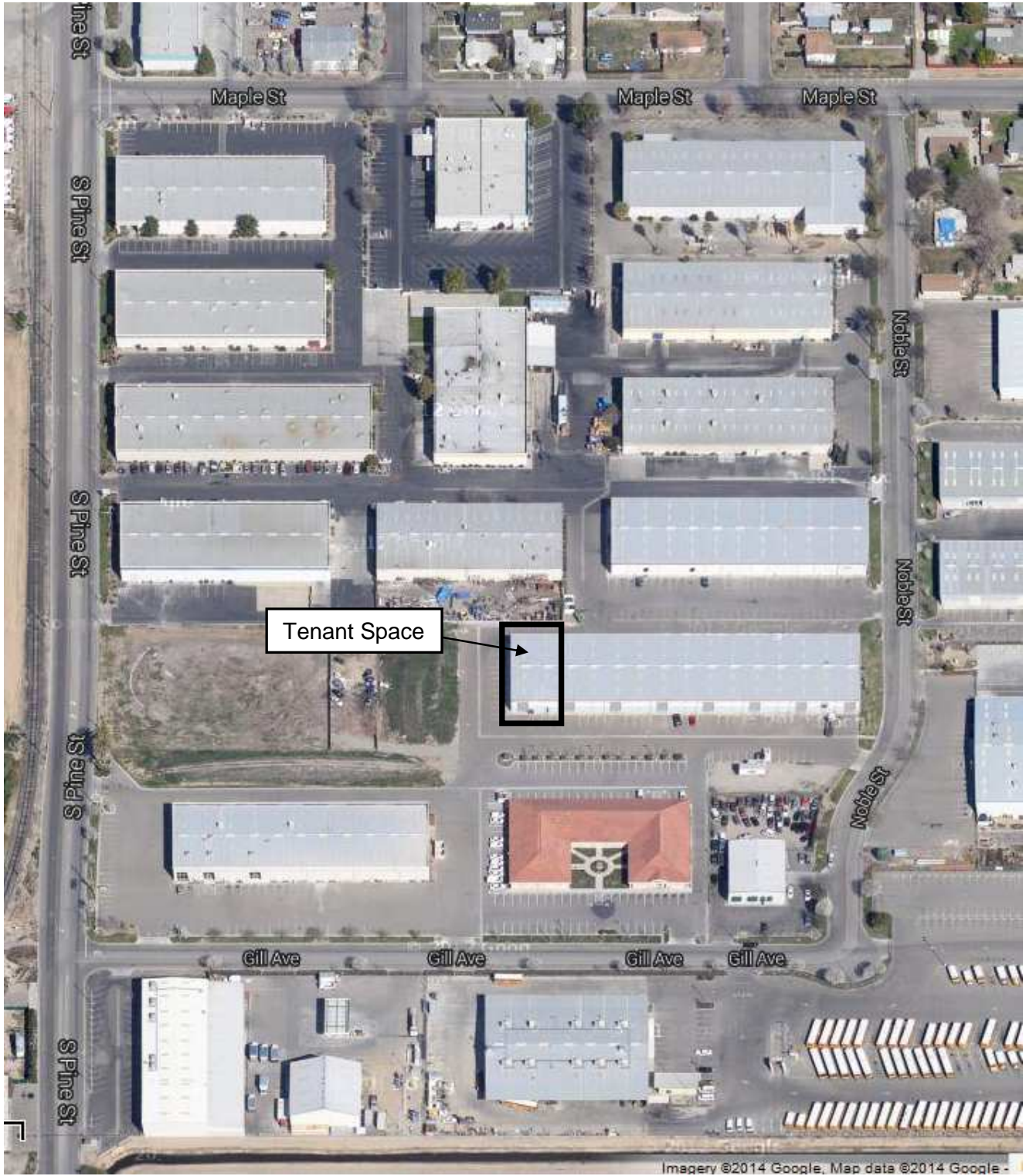
ATTACHMENTS

Aerial Photo

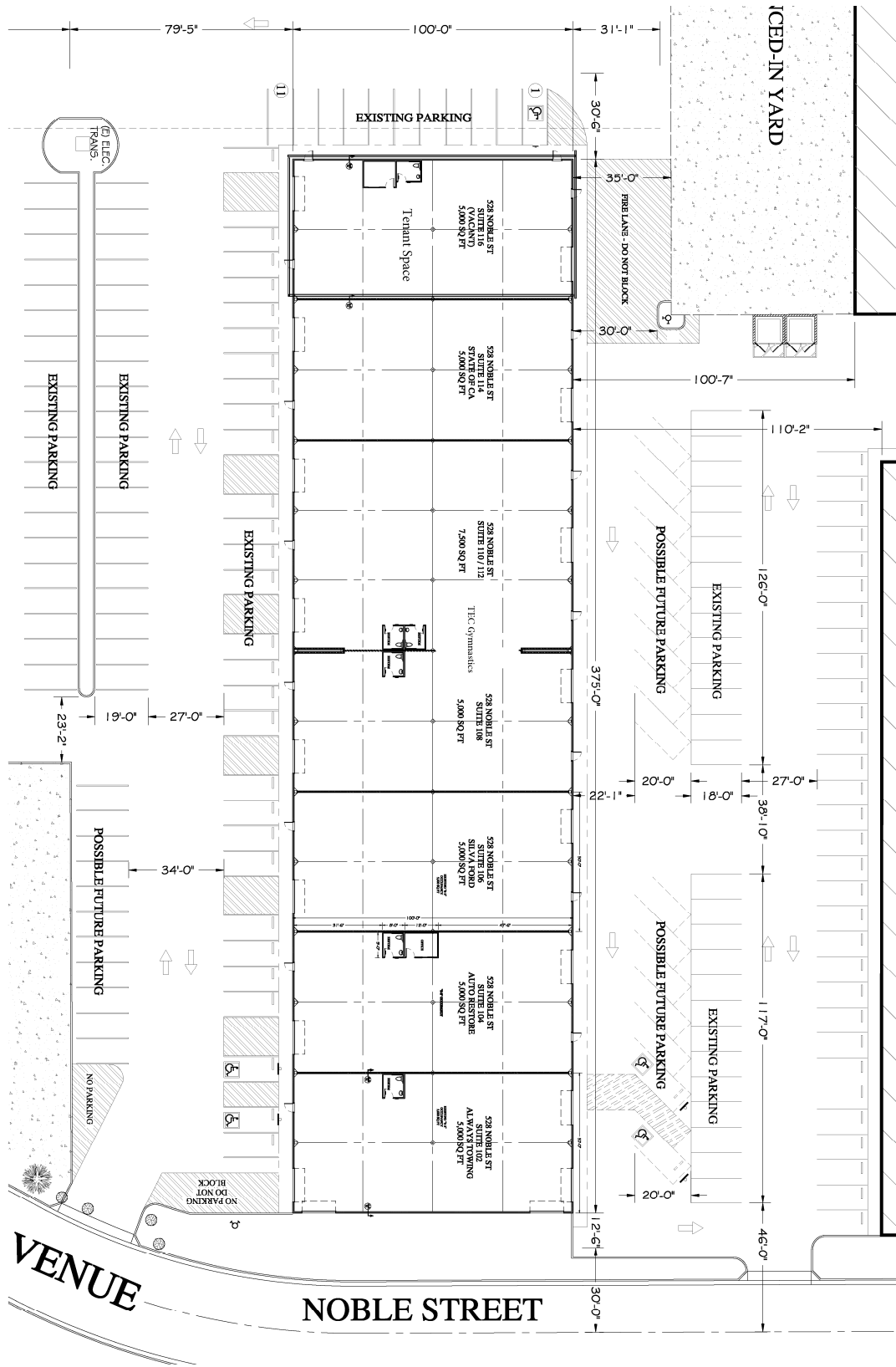
Site Plan

Floor Plan

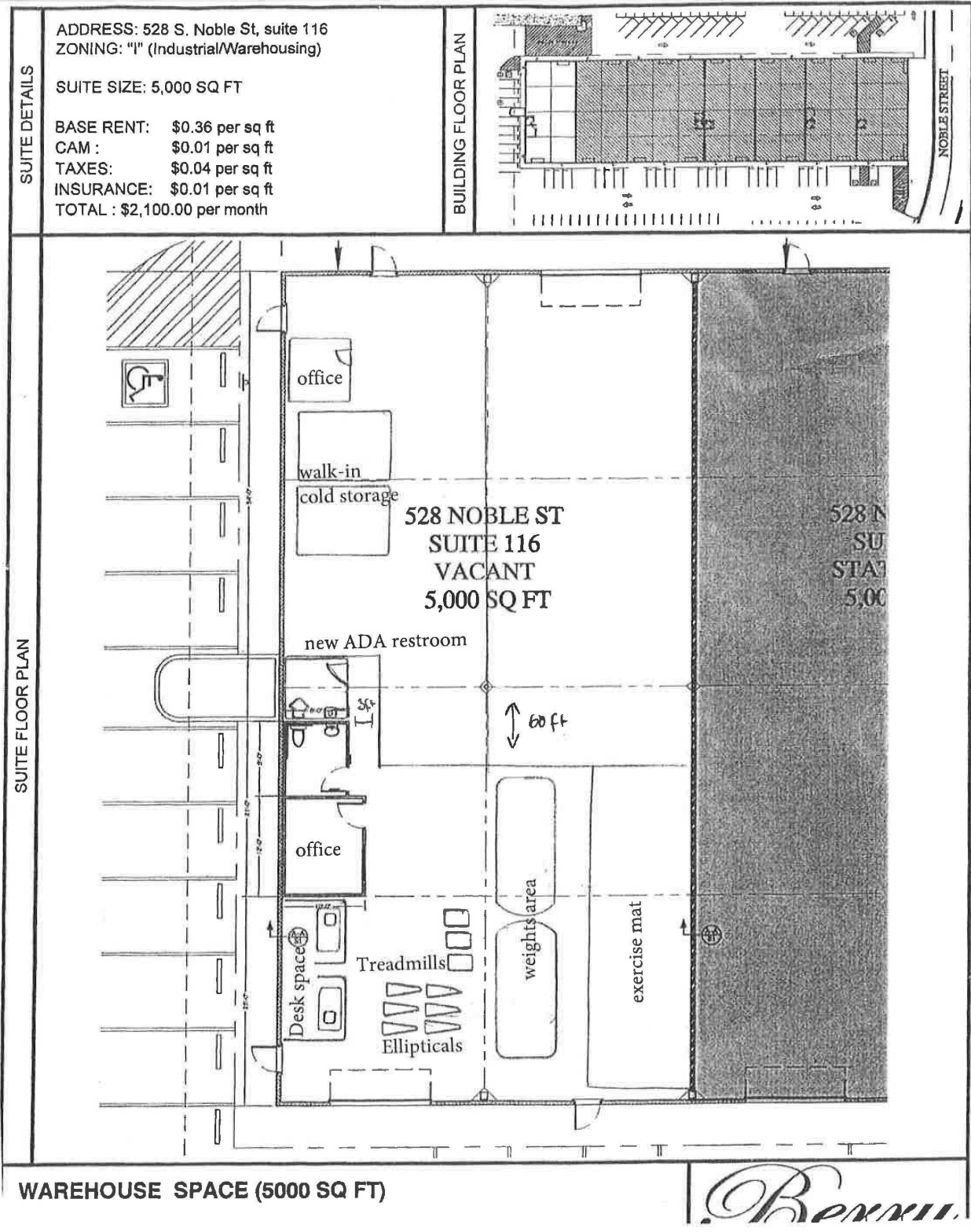
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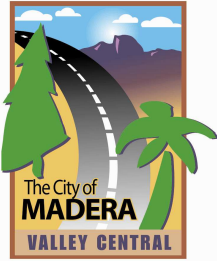


Site Plan



Floor Plan





<p>CITY OF MADERA PLANNING COMMISSION</p>	<p>205 W. Fourth Street Madera CA 93637 (559) 661-5430</p>
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**Staff Report: Three Monkeys Brewing Distribution Warehouse
CUP 2015-08, SPR 2015-17 & Categorical Exemption
Item #3 – June 9, 2015**

PROPOSAL: An application for a conditional use permit and site plan review to allow for the wholesale distribution of beer as a component of a microbrewery beer distribution warehouse.

APPLICANT: Michael Tate	OWNER: Berry Construction
ADDRESS: 455 South Pine Street, Ste 104	APN: Portions of 012-230-036, 037 and 038
APPLICATION: CUP 2015-08 & SPR 2015-17	CEQA: Categorical Exemption

LOCATION: The property is located on the east side of South Pine Street, approximately 450 feet south of its intersection with Maple Avenue

STREET ACCESS: The site has access to South Pine Street.

PARCEL SIZE: The 1,000 square foot lease space is located upon a portion of three parcels.

GENERAL PLAN DESIGNATION: I (Industrial)

ZONING DISTRICT: I (Industrial)

SITE CHARACTERISTICS: The site is a fully developed industrial property with a wide variety of tenants. The property includes six (6) warehouse-type buildings, most being divided into multiple tenant spaces with uses ranging from classic industrial processing and automotive services to other uses such as a dance studio, a gymnastics facility, and a garden supply store.

ENVIRONMENTAL REVIEW: The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301, (Existing Facilities).

SUMMARY & RECOMMENDATION: The use is consistent with the purpose and intent of the Zoning Ordinance and can be made compatible with the surrounding uses. Staff recommends approval of the microbrewery beer distribution warehouse.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.1001 Industrial Zones
MMC § 10-3.4.0102 Site Plan Review Applicability
MMC § 10-3.1202 Parking Spaces Required
MMC § 10-3.1301 Use Permits

The City's Zoning Ordinance allows for the granting of a use permit by the Planning Commission subject to the Planning Commission being able to make findings that the establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

If the Commission cannot make the appropriate findings, the use should be denied. Conditions may be attached to the approval of the use permit to ensure compatibility. Project design may be altered and on or off-site improvements required in order to make the project compatible with nearby uses. In addition, the application may be subject to further review, modification or revocation by the Commission as necessary.

PRIOR ACTION

The industrial site was developed via Site Plan Reviews 1988-11 and 1989-29 which cumulatively allowed for the development of six industrial structures. The buildings and underlying property were subsequently subdivided into one common area parcel and 66 commercial/industrial condominium units as part of Tentative Parcel Map 1992-04. Several use permits are active on the project site.

Three Monkeys Brewing is the maker of multiple beers under the Three Monkeys label. The Planning Commission approved Conditional Use Permit 2011-07 on July 12, 2011 (and a subsequent amendment) to allow for the establishment of a craft beer tap room at 5 East Yosemite Avenue. The tap room is no longer in operation. The Planning Commission later approved Conditional Use Permit 2013-29 on November 12, 2013 to allow for a beer distribution warehouse at 311 South Pine Street. This use permit request would allow for the relocation of Three Monkey's beer distribution warehouse from 311 South Pine Street to 455 South Pine Street.

ANALYSIS

Background

The City's General Plan indicates that land designated as I (Industrial) provides for both light and heavy industrial development. The City's Zoning Ordinance requires a use permit for all establishments where alcohol is sold. No delineation is provided to exempt a wholesale operation from securing the required permit. In that Three Monkeys Brewing will sell alcoholic beverages and is required by the California Commission on Alcoholic Beverage Control to secure an appropriate permit, a use permit has been required.

The City's Zoning Ordinance also allows for a beer distribution warehouse in the I (Industrial) Zone District, except that the proposed beer distribution warehouse is allowed only with approval by the Planning Commission.

Operations

The current request would allow for the establishment of a beer distribution warehouse in an approximately 1,000 square foot lease space at the Span Industrial Park. Wholesale product in case lots and kegs would be distributed for retail sale from the warehouse. No clients are anticipated to visit the warehouse. Improvements to the lease space may be required in order to satisfy building and fire code.

Parking

A total of four (4) parking stalls serve the project site. Parking ordinance requires that one stall be provided for each two employees and one space be provided for each 10,000 square feet of gross floor area. There is adequate parking to serve the use as proposed.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Though approval of a beer distribution center in an industrial zone district is not specifically addressed in the vision or action plans, the overall project does directly support “the need for good jobs, a well-trained, well-paid workforce and a broad spectrum of business opportunities.” Moreover, **Action 115.1 and 115.2** “encourage viable economic development” and “increase retail outlets and promote Shop Madera ...”

SUMMARY OF RECOMMENDATIONS

The information presented in this report supports conditional approval of the use permit and site plan review request.

PLANNING COMMISSION ACTION

The Planning Commission will be acting on the use permit and site plan review to allow for the wholesale distribution of beer as a component of a microbrewery beer distribution warehouse, determining to either:

- approve the applications with or without conditions
- continue the hearing, or
- deny the applications

Any action by the Commission approving or denying the application is subject to appeal to the City Council within 15 calendar days of the Commission’s action.

Motion 1: Move to approve Conditional Use Permit 2015-08 and Site Plan Review 2015-17, based on and subject to the findings and conditions of approval:

Findings

- This project is categorically exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA) since there will be negligible expansion of the existing use of the structure.
- The establishment of a wholesale beer distribution warehouse is consistent with the purpose and intent of the I (Industrial) General Plan land use designation and the I (Industrial) Zone District which provide for the use, subject to the issuance of a conditional use permit.

- There is adequate parking and site features to allow for the proposed beer distribution warehouse.
- As conditioned, the development of the wholesale beer distribution warehouse will be compatible with surrounding properties.
- As conditioned, the establishment, maintenance or operation of the use will not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the city.

CONDITIONS OF APPROVAL

General Conditions

1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by receipt in the Planning Department of the applicant's signature upon an Acknowledgement and Acceptance of Conditions within thirty (30) days of the date of approval for this use permit.
2. Site Plan Review 2015-17 will expire one year from date of issuance, unless positive action is taken on the project as provided in the Municipal Code or required action is taken to extend the approval before expiration date. (Municipal Code Section 10-3.4.0114, Lapse of Site Plan Approval)
3. The use permit may be made null and void without any additional public notice or hearing at any time upon both the benefactors of the use permit and owners of the property voluntarily submitting to the City a written request to permanently extinguish the conditional use permit.
4. The applicant's failure to utilize this use permit within one year following the date of this approval shall render the conditional use permit null and void unless a written request for extension has been submitted to and approved by the Planning Commission.
5. Conditional Use Permit 2015-08 will expire and be rendered null and void if the use is discontinued for a twelve month period unless a written request for extension has been submitted to and approved by the Planning Commission.
6. This use permit shall be subject to periodic reviews and inspection by the City to determine compliance with the conditions of approval and applicable codes. If at any time, the use is determined by Staff to be in violation of the conditions of approval, Staff may schedule a public hearing before the Planning Commission within 45 days of the violation to consider revocation of the permit.
7. The site or building plans submitted for any building permit applications shall reflect changes required by the herein listed conditions of approval. Any deviation from the approved plan or any condition contained herein shall require, at a minimum, prior written request by the applicant and approval by the Planning Manager.
8. Current State of California and federal handicap requirements shall apply to the entire site and all structures and parking thereon. Compliance shall be checked at permit stage and confirmed at final inspection.

Engineering Department

General

9. Nuisance onsite lighting shall be redirected as requested by the City Engineer within 48 hours of notification.
10. Developer shall pay all required fees for completion of project. Fees due may include but shall not be limited to the following: plan review, encroachment permit processing and improvement inspection fees.

Water

11. Existing water service connection must be to current City standards including water meter located within city right-of-way and a backflow prevention device, located within private property.

Fire Department

12. A building permit for change of occupancy may be required to determine all of the proposed requirements prior to occupancy or alteration of the premises.
13. Portable fire extinguishers are required. A minimum of one 2A10BC rated fire extinguisher is required for each 3,000 square feet of floor area or fraction thereof.
14. High Piled Storage is not permitted unless the project is to comply with all applicable requirements of the California Fire Code, Chapter 32. The storage arrangement and method must be indicated and provided during the permit application process.
15. Occupancy separations may be required in accordance with the California Building Code and California Fire Code.

Planning Department

16. This conditional use permit shall allow for the establishment of a 1,000 square foot wholesale beer distribution warehouse in an I (Industrial) Zone District.
17. Vandalism and graffiti shall be corrected per the Madera Municipal Code.
18. No retail sales shall occur from the project site.
19. No customers shall be served from the project site. Only employees shall access and utilize the project site.
20. No outdoor display of merchandise and/or outdoor storage of goods and materials shall be allowed.
21. The applicant shall operate in a manner that does not generate significant noise, odor or vibration that adversely affects any adjacent properties.

22. The property owner, operator and manager shall keep the property clear of all trash, rubbish and debris at all times; and dumping of refuse shall be restricted to the dumpster and refuse containers owned by the property owner.
23. The applicant shall comply with all federal, state and local laws. Material violation of any applicable laws concerning the use will be cause for revocation of this permit.
24. The wholesale beer distribution warehouse may operate from as early as 6:00 am until as late as 8:00 pm.
25. The project shall be developed in accordance with the applicant's operational statement and site plan as submitted with the application for the Conditional Use Permit. Minor modifications to the site plan necessary to meet regulatory or engineering constraints may be made with written approval of the Planning Manager.
26. Site Data
 - Approved Use of proposed space: Wholesale Beer Distribution Warehouse
 - Minimum Parking Requirements 4 stalls (one stall per every two employees & one per every 10,000 square feet)
 - Parking Provided 4 stalls (out of 68 on site)
 - Building Lease Area 1,000 square feet (out of 27,500 sq ft)
27. All signage shall be in compliance with the Madera Sign Ordinance. All signage is required to have an approved Sign Permit issued by the Planning Department per MMC §10-6.
28. The use shall be subject to periodic reviews and inspection by the City to determine compliance with the conditions of approval and applicable codes. If at any time, the use is determined by Staff to be in violation of the conditions, Staff may schedule a public hearing before the Planning Commission within 45 days of the violation to seek revocation of the permit or modification of the conditions of approval.

(OR)

Motion 2: Move to continue the application for Conditional Use Permit 2015-and Site Plan Review 2015-17 to the July 14, 2015 Planning Commission meeting.

(OR)

Motion 3: Move to deny the application for Conditional Use Permit 2015-08 and Site Plan Review 2015-17, based on and subject to the following findings: (specify)

ATTACHMENTS

Aerial Photo
Floor Plan

Aerial Photo



Floor Plan

