

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

**COUNCIL CHAMBERS - CITY HALL
TUESDAY
October 13, 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
Commissioner Jeff Dal Cerro

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: None

CONSENT ITEMS: None

NON-PUBLIC HEARING ITEMS

- NP1. CUP 2015-05, CUP 2015-06 & SPR 2015-15 – DPR Filters (Consideration to Revoke)**
A review of the performance of Condition Use Permit 2015-05, Conditional Use Permit 2015-06 and Site Plan Review 2015-15 allowing for a diesel particulate filter systems business and the storage of diesel “big rig” tractors and trailers and consideration as to whether a revocation hearing is appropriate.
- NP2. CUP 2014-21 – Universal Auto (Consideration to Revoke)**
A review of the performance of Conditional Use Permit 2014-21 and Site Plan Review 2014-30 allowing for the expansion of a used car sales lot and consideration as to whether a revocation hearing is appropriate.

PUBLIC HEARING ITEMS

1. CUP 2015-23 & SPR 2015-27 & Consideration of a Negative Declaration – Aphesis Apostolic Ministries

A noticed public hearing to consider a conditional use permit and site plan review to allow for the construction and operation of a church located at the northwest corner of Knox Street and Road 28 (Tozer Street). A sanctuary with seating for 265 is proposed on the undeveloped 3.5 acre parcel. The project site is located the C1 (Light Commercial) Zone District, with a C (Commercial) General Plan land use designation. A Negative Declaration will also be considered by the Planning Commission (APN: 011-340-005). An initial study and Negative Declaration have been prepared for consideration by the Commission in conformance with the California Environmental Quality Act (CEQA) guidelines.

2. SPR 2015-29 – Master Storage

A noticed public hearing to consider a site plan review to allow for the construction and operation of a mini storage facility, to be located on the east side of Knox Street, south of its intersection with Almond Avenue. The project site is located in the CH (Highway Commercial) Zone District, with an O (Office) General Plan land use designation (APN: 011-340-004). The Planning Commission will consider a Categorical Exemption for the project pursuant to CEQA Section 15332 (In-Fill Development Projects).

3. CUP 2015-26 & SPR 2015-30 – Ranchos Auto Sales

A noticed public hearing to consider a conditional use permit and site plan review to allow for a used auto sales business to operate in an existing structure located on the southwest corner of the intersection of East 6th Street and South E Street (96 E. 6th Street). The site is located in the C1 (Light Commercial) Zone District, with a C (Commercial) General Plan land use designation (APN: 007-152-007). The Planning Commission will consider a Categorical Exemption for the project pursuant to CEQA Section 15301 (Existing Facilities).

4. ABN 2015-01 – 11th Street Summary Vacation

A noticed public hearing to consider a request for General Plan Conformity and an Environmental Determination for a proposed abandonment of street right-of-way for a portion of 11th Street located between the South G Street alignment and the State Route 99 right-of-way. The 80 foot wide by 150 foot long section is not required for provision of access to private property and/or street circulation. The adjoining property owners have requested that the City summarily vacate the street section (APN: 011-071-007 and 011-101-001). The Planning Commission will consider a Categorical Exemption for the project pursuant to CEQA Section 15305 (Minor Alterations in Land Use Limitations).

ADMINISTRATIVE REPORTS

COMMISSIONER REPORTS

ADJOURNMENT: The next regular meeting will be held on November 10, 2015.

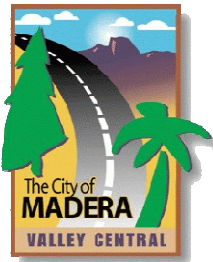
Any writing related to an agenda item for the open session of this meeting distributed to the Planning Commission less than 72 hours before this meeting is available for inspection at the City of Madera Planning Department, 205 W. 4th Street, Madera, CA 93637 during normal business hours.

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.



**CITY OF MADERA
PLANNING COMMISSION**

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

**Staff Report: DPF Filters (Performance Review)
CUP 2015-05, CUP 2015-06 & SPR 2015-15
Item #NP1 – October 13, 2015**

PROPOSAL: A review of the performance of Conditional Use Permit 2015-05, Conditional Use Permit 2015-06 and Site Plan Review 2015-15 allowing for a diesel particulate filter systems business and 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:	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 current review of the use permits and site plan review has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15306, (Information Collection).

SUMMARY & RECOMMENDATION: The site is not in compliance with the conditions of approval for Conditional Use Permits 2015-05 and 2015-06. Staff recommends that the conditional use permits be scheduled for a public hearing to determine whether revocation is appropriate.

APPLICABLE CODES AND PROCEDURES

MMC §10-3.1002, Industrial Zones, Uses Permitted
MMC § 10-3.1301 Use Permits

PRIOR ACTION

The use permits and site plan review were approved as part of the rezoning (Rezone 2015-01) of the property from the IP (Industrial Park) Zone District to the I (Industrial) Zone District. The Planning Commission conditionally approved the entitlements on June 9, 2015. The rezone was adopted as ordinance and is not subject to this review.

ANALYSIS

History

These applications were made with the intent of resolving business license citations active on the site. The diesel particulate filter system installation business and truck storage yard were not allowed uses in the IP (Industrial Park) Zone District and no business license could be approved. The business opened on the IP zoned property, even though representatives of the business had been advised of its non-permitted status. The applicant did complete the rezone to the I (Industrial) Zone District, which provided for the desired uses subject to Planning Commission approval of the conditional use permits and site plan review.

Background

The first use permit allowed for the continued operation of DPF Filters on the project site. The second use permit provided an allowance for tractor and trailer storage. Conditions of approval were applied to both uses; required improvements included installation of water meters, provision of parking, landscaping enhancements and compliance with sign regulation. These conditions of approval, adopted by the Planning Commission and agreed to by the property owner and applicant, were intended to ensure the project site would be improved to reflect the current development standards of the city, providing compatibility with surrounding uses, compliance with City and ADA standards, and conformance with the General Plan

A primary concern for staff in supporting the requested use permits was the screening of the property frontage. Support was 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. The installation of landscaping was absolutely necessary to provide consistency with General Plan goals and policies for industrial development. It was recommended that the entire project frontage to North Golden State Boulevard be landscaped with screening vegetation sufficient to enhance the aesthetics of the property frontage while screening the activities within.

Findings of Review

Attached please find a matrix of the conditions of approval for Conditional Use Permit 2015-05 and Conditional Use Permit 2015-06. These conditions were evaluated by staff for compliance. Shaded conditions of approval are currently not in compliance. Of the thirty (30) conditions of approval, twelve (12) need attention in order to be in compliance with the conditions of approval. Compliance with eighteen (18) of thirty (30) conditions equates a sixty (60%) percent compliance rate.

Significant progress has not been made towards meeting the conditions aimed at resolving issues discussed during the entitlement process. Because the applicant has not completed any of the agreed upon conditions of approval, the business continues to operate without even a business license. No landscaping plans have ever been submitted and no landscaping

improvements have ever been installed. No sign permit has ever been received to resolve the non-permitted whole-building signage installed without permitting. No revised site plan has been submitted to confirm truck parking layout feasibility and Fire Department approval. No deferral has been processed as required by the Engineering Department.

The applicant has not responded to completing any agreed upon improvements and has not even returned the required Acknowledgement and Acceptance of Conditions of Approval.

SUMMARY OF RECOMMENDATIONS

It is recommended that Conditional Use Permits 2015-05 and 2015-06 be scheduled for a public hearing at the November 10, 2015 Planning Commission meeting to determine whether revocation is appropriate.

PLANNING COMMISSION ACTION

The Commission would be taking action regarding Conditional Use Permits 2015-05 and 2015-06, determining to either:

- schedule a public hearing to consider revocation of the use permit, or
- find that the review of the use permit is not warranted at this time

Motion 1: Move to schedule a public hearing to consider revocation of Conditional Use Permits 2015-05 and 2015-06 at the November 10, 2015 Planning Commission meeting, based on and subject to the findings.

Findings

- Staff has observed non-compliance with the conditions of approval, warranting review of Conditional Use Permits 2015-05 and 2015-06, as approved by the Planning Commission on June 9, 2015.

(OR)

Motion 2: Move to find that the review of Conditional Use Permits 2015-05 and 2015-06 is not warranted at this time for the following reasons: (specify)

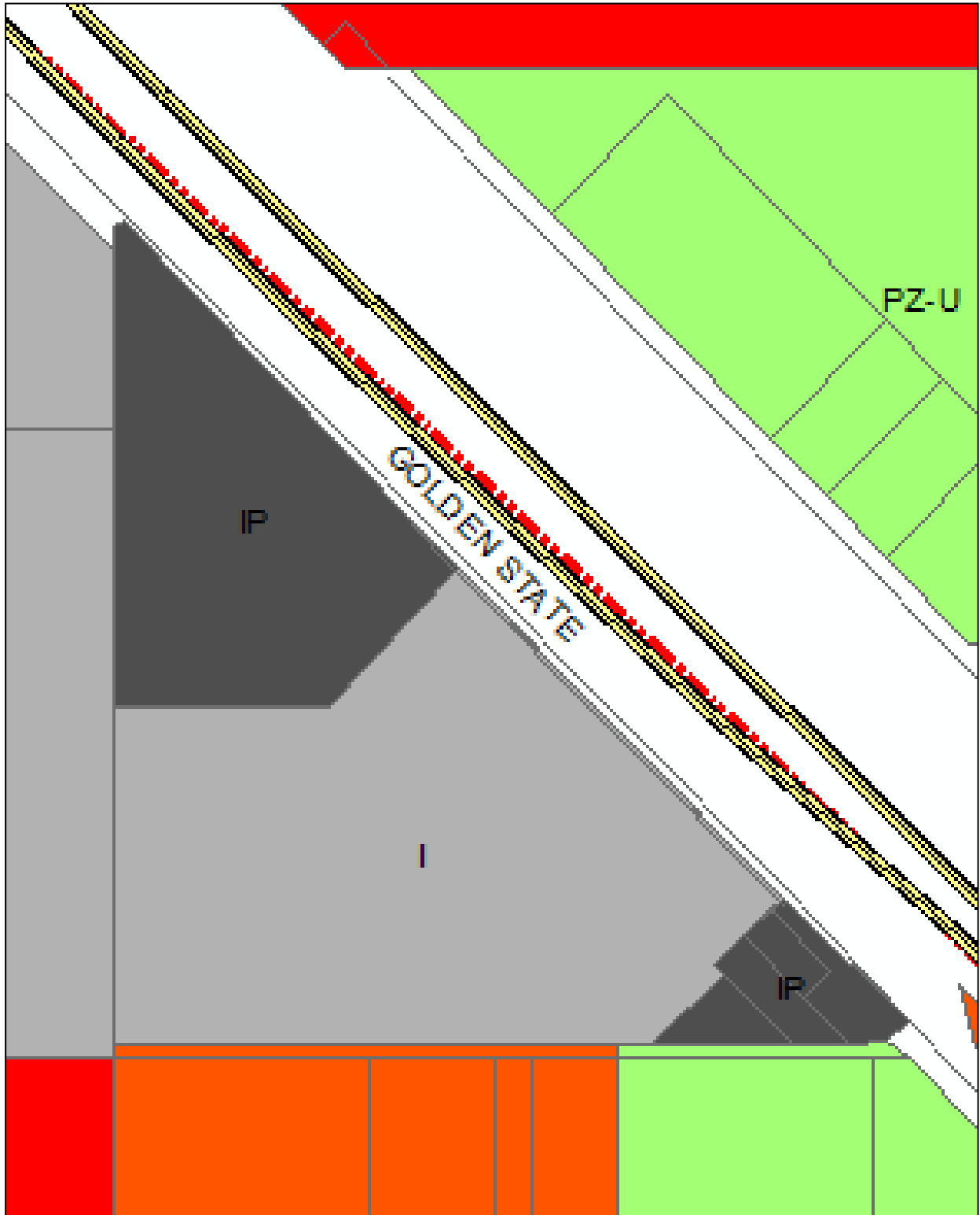
ATTACHMENTS

Aerial Map
Zoning Map
Conditions of Approval Compliance Matrix
Site Photos

Aerial Photo



Zoning Map



Conditions of Approval Compliance Matrix

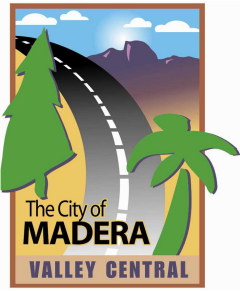
1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by receipt in the Planning Department of the applicant's signature upon an Acknowledgement and Acceptance of Conditions within thirty days of the date of approval for this use permit.	Not received
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.	Procedural
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.	Procedural
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).	Procedural
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.	Procedural
Planning Department	
6. Vandalism and graffiti shall be corrected per the Madera Municipal Code.	In compliance
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.	In compliance
8. The applicant shall operate in a manner that does not generate significant noise, odor or vibration that adversely affects any adjacent properties.	In compliance
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.	No business license on file.
10. Site Data <ul style="list-style-type: none"> • One (1) parcel, approximately 8.25 acres (APN: 013-250-002) • Building Area – Approximately 7,200 square feet. • Approved Use of Buildings: <ul style="list-style-type: none"> • 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 	In compliance
11. There shall be no limitation on the hours of operation for the diesel	Procedural

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.	Procedural
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.	In compliance
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.	Insufficient surfacing
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.	Not in compliance
16. The “big rig” parking field shall be screened from view by incorporation of a landscaped property frontage.	Not in compliance
17. All signage shall be consistent with the Madera Municipal Code.	Not in compliance
18. The applicant shall secure all required permits for signage and, if necessary, remove non-permitted on-building signage.	Not in compliance
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.	No signs are on perimeter fencing.
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.	Not in compliance
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.	Not in compliance
Engineering Department	
22. Nuisance onsite lighting shall be redirected as requested by the City Engineer within 48 hours of notification.	In compliance
23. Improvements within City right-of-way require an Encroachment Permit from the Engineering Department.	Procedural
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.	Not in compliance
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.	Not in compliance
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.	Procedural
27. At such time that City sewer 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.	Procedural

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.	Not confirmed
29. A key box will be required for emergency access.	Unknown
30. Portable fire extinguishers are required in accordance with the California Fire Code.	Unknown

Site Photographs





CITY OF MADERA PLANNING COMMISSION

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

Staff Report: Universal Auto (Performance Review) CUP 2014-21 & SPR 2014-30 Item #NP2 – October 13, 2015

PROPOSAL: A review of the performance of Conditional Use Permit 2014-21 and Site Plan Review 2014-30 allowing for the expansion of a used car sales lot.

APPLICANT:	Universal Auto	OWNER:	Future Investments, Ltd.
ADDRESS:	508 South Gateway Drive	APN:	010-213-001 & 002
APPLICATION:	CUP 2014-21 & SPR 2014-30	CEQA:	Categorical Exemption

LOCATION: The project site is located at the northwest corner of South Gateway Drive and Madera Avenue.

STREET ACCESS: The site has access to South Gateway Drive and Madera Avenue.

PARCEL SIZE: Two (2) parcels encompassing 0.73 acre

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C2 (Heavy Commercial)

SITE CHARACTERISTICS: The overall site encompasses two parcels which were home to Universal Auto and an automobile lubrication business. Both businesses are now vacant. There are commercial uses to the east, west and north of the project site along the Gateway commercial corridor. Residential uses are located immediately south of the project site.

ENVIRONMENTAL REVIEW: The current review of the Universal Auto use permit and site plan review has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15306, (Information Collection).

SUMMARY & RECOMMENDATION: The site is not in compliance with the conditions of approval for Conditional Use Permit 2014-21. Staff recommends that the conditional use permit be scheduled for a public hearing to determine whether revocation is appropriate.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.901 Heavy Commercial Zones
MMC § 10-3.4.0102 Site Plan Review Applicability
MMC § 10-3.406 Nonconforming Buildings and Uses
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.

All use permits which have been granted may be revoked by the Planning Commission after a hearing as set forth below in the event the user of such permit, or his or its successor in interest to the real property in favor of which the permit was granted, breaches or fails to abide by any of the conditions designated in such permit.

PRIOR ACTION

Conditional Use Permit 2014-21 and Site Plan Review 2014-30 were approved on September 9, 2014 subject to compliance with forty-five (45) conditions of approval. Prior to the 2014 entitlements, this site (both 508 and 500 South Gateway Drive) had not been subject to site plan review since 1984, when an addition was done on the 508 property.

ANALYSIS

Background

The use permit memorialized automotive sales activities and allowed for the intensification of those activities onto both of the project parcels. Conditions of approval were applied to both parcels and required dedication of right-of-way and installation of curb, gutter, driveways and sidewalk across the entirety of the project frontage. Other improvements included installation of water meters, provision of parking, landscaping enhancements and compliance with sign regulation. The conditions of approval adopted by the Planning Commission and agreed to by the property owner and applicant were intended to ensure the project site would be improved to reflect the current development standards of the city, providing compatibility with surrounding uses, compliance with City and ADA standards, and conformance with the General Plan

Findings of Review

Attached please find a matrix of the conditions of approval for CUP 2014-21. These conditions were evaluated by staff for compliance. Shaded conditions of approval are currently not in compliance. Of the forty-five (45) conditions of approval, twenty-four (24) need attention in order to be in compliance with the conditions of approval. Compliance with twenty-one (21) of forty-five (45) conditions equates a forty-seven (47%) percent compliance rate.

Significant progress has not been made towards meeting the conditions aimed at resolving issues discussed during the entitlement process. It was noted at the time of entitlement that, because the site had not undergone site plan review for more than thirty (30) years, extensive deferred improvements were required within the conditions of approval. As opposed to constructing those required improvements, the applicant vacated the site over six months ago. The associated oil change business has also been closed more than six months and the existing nonconforming status of that use has now expired.

SUMMARY OF RECOMMENDATIONS

It is recommended that Conditional Use Permit 2014-21 be scheduled for a public hearing at the November 10, 2015 Planning Commission meeting to determine whether revocation is appropriate.

PLANNING COMMISSION ACTION

The Commission would be taking action regarding Conditional Use Permit 2014-21, determining to either:

- schedule a public hearing to consider revocation of the use permit, or
- find that the review of the use permit is not warranted at this time

Motion 1: Move to schedule a public hearing to consider revocation of Conditional Use Permit 2014-21 at the November 10, 2015 Planning Commission meeting, based on and subject to the findings.

Findings

- Staff has observed non-compliance with the conditions of approval, warranting review of CUP 2014-21, as approved by the Planning Commission on September 9, 2014.

(OR)

Motion 2: Move to find that the review of Conditional Use Permit 2014-21 is not warranted at this time for the following reasons: (specify)

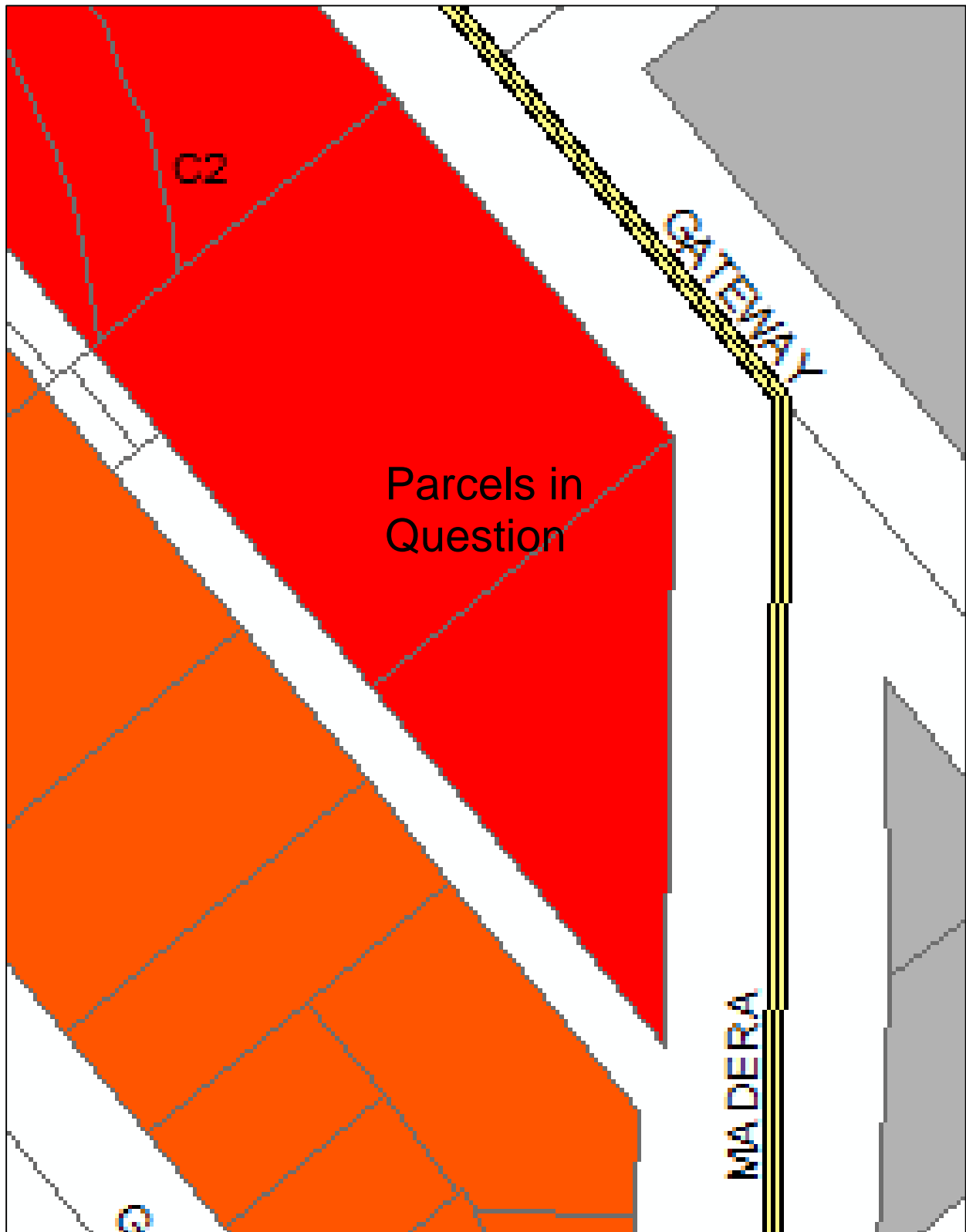
ATTACHMENTS

Aerial Photo
Zoning Map
Conditions of Approval Compliance Matrix
Site Photos

Aerial Photo



Zoning Map



CONDITIONS OF APPROVAL COMPLIANCE MATRIX

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.	Received
2. Site Plan Review 2014-30 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)	Not in compliance
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.	Procedural
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.	Procedural
5. Conditional Use Permit 2014-21 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.	Procedural
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.	Procedural
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 Director.	Procedural
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 and/or use permit.	Procedural
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.	Procedural

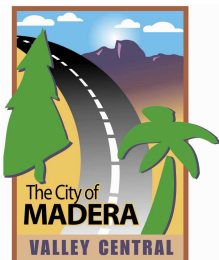
Fire Department	
10. Portable fire extinguishers are required. A minimum of one, 2A10BC-rated portable fire extinguisher is required for each 3,000 square feet of structure (minimum one per structure) within 75 feet of all areas, and which are readily visible.	In compliance when open
11. On-site fire access is required. Fire lanes must be provided and properly posting. The placement of vehicles may not be located in the designated drive aisles. A plan for the placement of such drive aisle must be provided for review and approval.	Not received
12. The existing waste oil tank located at the north end of 500 South Gateway Drive must be properly protected and placarded.	In compliance when open
Planning Department	
<p>13. Site Data</p> <p>Approved Use of the 500 S.Gateway Drive property: Used Car Sales Lot</p> <p>Approved Use of the 508 S. Gateway Drive property: Used Car Sales Lot/Drive-thru Oil Change/Lube</p> <ul style="list-style-type: none"> • Minimum Parking Requirements for Used Car Sales Lot: <ul style="list-style-type: none"> ▪ Six (6) parking stalls <ul style="list-style-type: none"> ▪ Two (2) stalls for employee parking ▪ Four (4) stalls for customer parking • Minimum Parking Requirements for Automotive Lubrication Business: <ul style="list-style-type: none"> ▪ Eight (8) parking stalls <ul style="list-style-type: none"> ▪ One (1) stalls for employee parking ▪ Seven (7) stalls for customer parking 	Parking not provided when opened for business.
14. The used car sales lot may operate from 9:00 am until 9:00 pm, seven days a week.	In compliance when open
15. The garage structure (508 South Gateway Drive) shall be used for light automotive service activities. These activities shall be consistent with light automotive maintenance and repair. Only vehicles intended for sale on the premises shall be worked on. Auto detailing of dealer inventory may also occur in the garage area. No heavy automotive repair shall occur in the garage area without the approval of the Building Official and the Fire Marshal.	In compliance when open
16. The (former motel) office structure (508 South Gateway Drive) shall be used for typical general office activities. Changes in use of the structure may create a change in occupancy and may cause additional improvements to the structure to be required.	In compliance when open
17. No fencing shall be allowed on the perimeter project site. The separation fence shall remain between the used car sales lot and the automotive lubrication business so as to provide for compatibility with the automotive lubrication business.	Fencing never removed

18. Landscaping shall be installed as a component of improvements to the right-of-way frontage as identified by the Engineering Department and Caltrans.	Not completed
19. The used car sales lot shall sell only used passenger cars and trucks. No recreational vehicles, boats, trailers, personal all-terrain vehicles (ATV), and the like may be marketed or sold from the site.	In compliance when open
20. No portable/temporary/mobile utility structures shall be allowed to be erected/utilized on the project site.	In compliance when open
21. 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.	Not in compliance
22. Vandalism and graffiti shall be corrected per the Madera Municipal Code.	In compliance when open
23. 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.	In compliance when open
24. The applicant shall operate in a manner that does not generate significant noise, odor or vibration that adversely affects any adjacent properties. No amplified noise shall occur as a component of the outdoor barbeque area.	In compliance when open
25. 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.	In compliance when open
26. Future expansion of the used car sales lot onto all or additional parts of the 500 South Gateway property may occur with approval of a minor site plan review.	Procedural
Engineering Department	
27. Nuisance onsite lighting shall be redirected as requested by the City Engineer within 48 hours of notification.	In compliance when open
28. Improvement plans for the project shall include the most recent version of the City's General Notes.	Not completed
29. Improvements within the City right-of-way require an Encroachment permit from Engineering Department.	Not completed
30. Improvements within the State right-of-way require an Encroachment Permit from Caltrans.	Not completed
31. The developer shall dedicate a thirteen (13') foot wide easement for street purposes on Gateway Drive along the entire project frontage.	Not completed
32. The developer shall dedicate a thirteen (13') foot wide easement for street purposes on Madera Avenue along the entire project frontage.	Not completed
33. Existing structures located within the thirteen foot right-of-way offer of dedication shall be allowed to remain per Caltrans.	Not completed

34. The developer shall construct sidewalk per City standards on South Gateway Drive and Madera Avenue along the entire parcel frontage. An unimpeded ADA path of travel shall be maintained at all times. Sidewalk shall be constructed with a maximum 2% cross slope.	Not completed
35. The developer shall remove existing driveway approach located at the northern property line of 500 South Gateway Drive and replace with curb and gutter.	Not completed
36. The developer shall reconstruct existing southern driveway approach of 500 South Gateway Drive to a maximum 35 foot driveway throat and construct curb and gutter.	Not completed
37. The developer shall reconstruct the existing primary driveway approach of 508 South Gateway Drive to maximum 24 foot driveway throat and construct curb and gutter.	Not completed
38. The developer shall reconstruct curb and gutter across the remainder of the 508 South Gateway Drive frontage.	Not completed
39. Parkstrip landscaping shall be installed in conjunction with the required street improvements on South Gateway Drive and Madera Avenue.	Not completed
40. The extent of improvements on the Gateway Drive and Madera Avenue project frontage shall be determined by Caltrans as Gateway Drive and Madera Avenue are a State highway.	Not completed
41. Civil improvement plans for required improvements to the project frontage shall be submitted to both Caltrans and the City Engineer no later than December 31, 2014. Improvement plan shall be approved and ready for construction no later than March 31, 2015. All work within the Caltrans right-of-way shall require the issuance of an encroachment permit by Caltrans.	Not completed
42. All Engineering Department conditions of approval shall be completed on or before August 31, 2015. Failure to complete the required improvements shall result in revocation of Conditional Use Permit 2014-21.	Not completed
43. The existing water service connection shall be upgraded to current city standards including water meter located within city right-of-way, which shall read in cubic feet, and a backflow prevention device located within private property.	Not completed
44. A separate water meter and backflow prevention device will be required for landscape consumption.	Not completed
45. The existing sewer service connection shall be upgraded to current city standards.	Not completed

Site Photographs





**CITY OF MADERA
PLANNING COMMISSION**

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

**Staff Report: Aphesis Apostolic Ministry
CUP 2015-23 & SPR 2015-27 & Negative Declaration
Item #1 - October 13, 2015**

PROPOSAL: An application for a conditional use permit and site plan review to allow for the establishment of a church.

APPLICANT:	Aphesis Apostolic Ministries	OWNER:	Greg Bradford
ADDRESS:	Knox Street and Road 28	APN:	011-340-005
APPLICATION:	CUP 2015-23 & SPR 2015-27	CEQA:	Negative Declaration

LOCATION: The site is located at the northwest corner of Knox Street and Road 28 (Tozer Street).

STREET ACCESS: Access to the parcel is provided via Knox Street and Road 28.

PARCEL SIZE: Approximately 3.5 acres

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C1 (Light Commercial)

SITE CHARACTERISTICS: The project site is currently a vacant lot. Residential homes are located to the north and rural residential to the east, with Highway 99 to the south, and a proposed mini storage to the west.

ENVIRONMENTAL REVIEW: An initial study and Negative Declaration have been prepared for consideration by the Commission in conformance with the California Environmental Quality Act (CEQA) guidelines.

SUMMARY & RECOMMENDATION: The allowance for a church is consistent with the purpose and intent of the Zoning Ordinance. Conditions of approval provide compatibility with surrounding land uses. Staff recommends approval of the conditional use permit and site plan review.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.802 Light Commercial Zone
MMC § 10-3.405 Uses
MMC § 10-3.4.0101 Site Plan Review
MMC § 10-3.1301 Use Permits
MMC § 10-3.1202 Parking Regulations

A church may be allowed in any zone subject to the approval of a conditional use permit by the Planning Commission. 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 permit 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.

Consistent with the Zoning Ordinance, with the requirement for a conditional use permit, a site plan review application must also be processed.

PRIOR ACTION

The site was annexed into the City in 2001 as part of the City of Madera-Enoch Packing Company Annexation. The site is located within the East Olive Specific Plan, adopted December, 2004.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

In 2009, after an extensive visioning process and public comment, the City adopted an updated General Plan which "represents the product of years of efforts on the part of residents and businesses in the community working to maintain and improve Madera's quality of life and implement the community's shared vision for the future." As a component of the new General Plan, individual project proposals "must be consistent with the goals and policies in this General Plan." Some of the goals and policies that are mandated in the Community Design element of the General Plan are:

Goals: **CD-1** High quality urban design throughout Madera.
CD-4 Attractive streetscapes in all areas of Madera.
CD-11 Design commercial development to enhance the pedestrian environment.

Policies: **CD-15** Except where site conditions make it infeasible, new commercial development shall be designed to front or have a presence along all street frontages. The intent of this policy is to enhance the pedestrian scale of new development, and minimize the presence of parking, circulation, and loading areas as the primary visual features of development.

CD-22 Commercial developments should have public open space areas such as plazas, courtyards, expanded walkways, or other areas suitable for small gatherings. The facilities should be sized proportionate to the scale of the development.

CD-47 Commercial projects shall be designed to minimize the intrusion of parked vehicles on the streetscape. Parking areas, driveways, and drive-through lanes should not be located between buildings and the sidewalk.

CD-48 Buildings and building entrances shall be oriented to the pedestrian environment.

CD-49 Buildings shall include human-scale details such as windows facing the street, awnings, and architectural features that create a visually interesting pedestrian environment.

CD-50 Parking lots shall be landscaped, including shade trees, to create an attractive pedestrian environment and reduce the impact of heat islands.

CD-51 Safe and well-defined pedestrian connections from buildings to parking areas, from buildings to the adjoining street(s), and among buildings on the same site shall be provided. Pedestrian connections between commercial development and surrounding residential neighborhoods shall also be provided. Enhanced paving materials or other techniques shall be used to identify pedestrian connections.

CD-53 Unarticulated, boxy structures shall be broken up by creating horizontal emphasis through the use of trim, varying surfaces, awnings, eaves, or other ornamentation, and by using a combination of complementary colors.

CD-57 Where possible, parking lots shall be located behind or on the side of buildings to reduce their visual impact.

These and other goals and policies are the standards that all new development in the City is measured by. Combined, they implement the principles of the Community Design element of the General Plan.

In the case of the proposed church, staff and the applicant have worked collaboratively toward developing a project in conformance with the General Plan.

ANALYSIS

Background

As with most land surrounding Madera, the site was historically used for agricultural purposes. The land has remained vacant since its time of annexation in 2001. The East Olive Specific Plan designated this site for Mixed Use development. A church is consistent with the Specific Plan designation and zoning designation of Light Commercial, subject to the issuance of a use permit.

Operations

Aphesis Apostolic Ministry is a church that will engage in Bible studies, training, praise and worship. The church proposes to construct a 5,900 square foot sanctuary including seating for 300, church offices, a bridal room, and quiet room, and ADA compliant restrooms. The church proposes to operate at various times between the hours of 7:00 a.m. and 9:00 p.m. six days a week. Sales of books and tapes, along with fundraising events such as yard sales are also included in this request. Six outdoor events are allowed annually. A temporary use permit should be secured two weeks prior to each event.

Site Improvements

The vacant site will be developed into a church campus. This entitlement allows for the construction of a church with an outdoor sanctuary forecourt, an outdoor activity area, and an

outdoor event area (Phase 1). Future development of a dining hall, assembly hall, and expanded parking field is anticipated. However, because specific design features related to the future facilities are unknown, an amendment to this use permit and site plan review will be required when the applicant is ready to proceed. The church will be placed near the southeast corner of the property in keeping with policies **CD-15**, **CD-47**, and **CD-57** of the General Plan which call for pedestrian oriented placement of structures with parking lots located behind buildings. The many outdoor areas will satisfy General Plan policy **CD-22** which calls for public open spaces. To meet policy **CD-53**, the church has proposed an architecturally varied structure with steeple roof accent, covered arcade, and metal trimmed windows. Although the structure is suitably articulated and positioned on the project site so as to anchor the corner, no mixture of building materials is proposed which would allow staff to fully support its design. Staff has recommended a condition of approval to require the incorporation of brick, rock or stone onto the building to add visual interest and present an elevation with a varied mix of materials. This important embellishment allows staff to make a finding of General Plan conformance.

Parking

Churches are required to provide one parking stall per each four (4) seats in the sanctuary. As proposed, the church sanctuary has a maximum occupancy of 300 people, which would require the provision of seventy-five (75) parking stalls. There is adequate space to provide all of the required parking on site. As part of this initial phase of development of the site, the minimum 75 stall parking field should be completed to appear finished with defined edges. The parking lot should also be developed to allow a fire truck adequate space to turnaround.

Landscaping

Landscaping is proposed throughout the site. The extra setback from street frontages allows for enhanced landscaping in conjunction with parking fields and along the public right-of-way. Landscape peninsulas are proposed as integral components of site design, providing greater shade for vehicles and better segregation of the parking field while enhancing site aesthetics. It is recommended that the landscape and irrigation plan satisfy the purpose and intent of the City Design and Development Guidelines and comply with the State of California's Model Water Efficient Landscaping ordinance. A landscaping and irrigation plan will be required at the time of submission for building permit.

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 establishment of a church.

Motion 1a: Move to adopt a negative declaration, consistent with Section 15070(a) of the California Environmental Quality Act; and

Findings

- An initial study and negative declaration have been prepared pursuant to the California Environmental Quality Act that determines that there is no substantial evidence that the project will have a significant effect on the environment, and that the document reflects

the independent judgment of the Planning Commission of the City of Madera after considering all of the information in the record before it, and the Negative Declaration is hereby adopted in accordance with the California Environmental Quality Act.

Motion 1b: Move to approve Conditional Use Permit 2015-23 and Site Plan Review 2015-27 based on and subject to the findings and conditions of approval as listed below.

Findings

- An initial study and negative declaration have been prepared pursuant to the California Environmental Quality Act that determines that there is no substantial evidence that the project will have a significant effect on the environment, and that the document reflects the independent judgment of the Planning Commission of the City of Madera after considering all of the information in the record before it, and is hereby adopted in accordance with the California Environmental Quality Act.
- The establishment of a church is consistent with the purposes of the C (Commercial) General Plan land use designation and the C1 (Light Commercial) Zone District which provide for the use, subject to the issuance of a conditional use permit.
- As conditioned, there is adequate parking and site features to allow for the proposed church.
- 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 days of the date of approval for this use permit.
2. Site Plan Review 2015-27 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 to extend the approval before expiration date is taken. (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 2015-23 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.

Building Department

10. 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.
11. 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.
12. 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

13. Nuisance on-site lighting shall be redirected as requested by the City Engineer within 48 hours of notification.
14. Impact fees shall be paid at time of building permit issuance.
15. Improvement plans sealed by an engineer shall be submitted to the Engineering Department according to the submittal process.

16. Improvements within the City right-of-way shall require an Encroachment Permit from the Engineering Department.
17. The improvement plans for the project shall include the most recent version of the City's General Notes.
18. Developer shall pay all required fees for review of plans and issuance of encroachment permit for completion of project. Fees due include but shall not be limited to the following: plan review, encroachment processing and improvement inspection fees.

Water

19. Water service connections shall be constructed per current city standards including water meters located within city right-of-way and backflow prevention device located within private property.
20. A separate water meter and backflow prevention device will be required for landscape area.

Sewer

21. Sewer service lateral shall be constructed per current City standards.
22. Sewer main connection larger than 4-inch diameter shall require manhole installation.

Storm Drain

23. Storm runoff from this project drains to a storm drain main in Knox Street and ultimately to a City Basin located to the northwest of the project site. The developer shall be required to drain storm runoff to existing facilities in Knox Street per the City's Storm Drain Master Plan or as directed by the City Engineer. Developer shall submit a detailed drainage plan that supports the design of storm drain improvements.

Street

24. Development shall be limited to the three proposed driveway approaches indicated on site plan dated August 20, 2015.
25. Proposed driveway approach on Tozer Street shall be constructed as a street type entrance with minimum face of curb radius of 15 feet. Driveway approach shall be located a minimum of 365 feet from the intersection of Tozer Street and Knox Street. Driveway shall have a minimum throat length of 35 feet.
26. Southern driveway approach on Knox Street shall be a minimum of 150 feet from the intersection of Tozer Street and Knox Street.
27. Driveway approaches shall have a minimum throat length of 35 feet.
28. Access ramps shall be installed at all curb returns per City Standards.
29. All public utilities adjacent to or within site shall be undergrounded, except transformers, which may be mounted on pads.

Fire Department

30. The building may need to be equipped with automatic fire sprinklers. Occupant load calculations have not been provided, and the overall/cumulative occupant load for the building must be considered. Please also note that the placement of future buildings must be clearly delineated during the plan review process. If the structures are too close to each other, they may be treated as one for purposes of allowable area, and the installation of fire sprinklers will be required.
31. Portable fire extinguishers are required. A minimum of one (1) 2A10BC-rated portable fire extinguisher must be provided for every 3,000 square feet or fraction thereof with a travel distance not to exceed 75 feet from any point inside the building. The fire extinguishers must be mounted in a visible and accessible location.
32. A fire alarm system may be required. See item #30 above.
33. Panic hardware is required at secondary and tertiary exits.
34. Fire lanes must be properly posted in accordance with the California Fire Code and California Vehicle Code. The parking field must be developed to adequately allow for the turning radius of a fire apparatus.
35. The occupant load must be clearly posted near the main entry.
36. The "Quiet Room" must be defined. If this is a nursery or daycare area, special requirements will apply.

Planning Department

37. This use permit allows for the construction and operation of a 5,900 square foot church. The site shall include no less than seventy-five (75) on-site parking stalls to serve the sanctuary building. The church shall operate consistent with the approved floor plan, including a sanctuary with seating for no more than 300 people.
38. Vandalism and graffiti shall be corrected per the Madera Municipal Code.
39. Outdoor storage of goods and/or materials shall not be allowed.
40. The applicant shall operate in a manner that does not generate significant noise, odor or vibration that adversely affects any adjacent properties.
41. The allowance for up to six (6) outdoor events per year is provided. Events may include fundraisers, yard sales, and community gatherings. A temporary use permit application shall be filed with the Planning Department at least two (2) weeks prior to each event.
42. 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.
43. 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.

44. The church may be open from as early as 7:00 am in the morning to as late as 9:00 pm at night, seven days a week.
45. All required parking shall be permanently maintained with all parking spaces as shown on the required site plan submittal. All parking and loading areas shall be marked and striped to City Standards: Perpendicular (90 degree) parking spaces shall measure a minimum of nine feet (9') wide by 19' deep (17' deep with 2' bumper overhang). No compact stalls shall be incorporated into the parking field. Minimum drive aisle/backing/maneuvering space is twenty-six (26') feet for primary drive aisles.
46. The site shall be developed to a finished state. The phasing of construction shall not impact the visual quality of the site or the connectivity of the parking field. Planning Manager approval of site development is required at each phase of development.
47. The trash enclosure shall be constructed of masonry block consistent with City standards with a stucco finish and color to match the primary structure.
48. 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.

HVAC and PG&E Utility Placement Considerations/Screening Requirements

49. Prior to the issuance of building permits, applicant to identify the following information for Planning Department review and approval:
 - The location of all natural gas and electrical utility meter locations
 - The location of all HVAC (heating, ventilation, or air conditioning) equipment
 - The location of all compressor equipment, mechanical, and electrical equipment
50. All electrical equipment shall be screened to the specifications of the Planning Department. Ground-mounted electrical boxes/panels shall be screened with a wall or fence treatment that closely matches the elevations of the structure, and/or screened with sufficient landscaping as approved on the landscaping plan. The applicant shall make the necessary corrections to plan submittals in order to reflect this condition.
51. All wall-mounted equipment shall be painted to match the exterior wall.
52. Natural gas meter placement shall be screened from public view per Planning Department approval.
53. The applicant shall coordinate the installation of utilities consistent with these conditions of approval with Pacific Gas and Electric Company. The applicant may contact David Vandergriff of PG&E at 2871 Airport Drive, Madera, California 93637 or via telephone at (559) 675-2234.
54. Roof access ladders shall be located within the interior of the building or screened from public view per Planning Department approval.
55. Future placement of roof-mounted equipment, which is not part of this site plan approval, may require amendment to this Site Plan Review.

56. All ducts and vents penetrating roofs shall be directed away from the front of public entrance side(s) of the building using methods to minimize their appearance and visibility from the street. Placements preferred at rear sides of roof ridges. All roof-mounted ducts and vents to be painted with a color better suited to minimize their appearance.
57. Fire sprinkler risers shall be located within the interior of the building or located out of public view. Locations shall be approved by the Planning Department prior to the issuance of building permits.

Building Colors, Materials and Lighting Considerations

58. The applicant shall submit a sample of brick, rock, or stone to be incorporated as an embellishment to the structure. Planning Manager approval of the material and its placement is required prior to issuance of building permits.
59. The construction of buildings approved as part of site plan review shall be consistent with an amended color and materials board to include the stone embellishment and representative color section rendering of the proposed building to be reviewed and approved by the Planning Manager.
60. Address sign designs shall be approved by the Planning Department prior to issuance of building permits.
61. The specifications and types of exterior lighting fixtures to be installed on the site shall be submitted to and approved by the Planning Department prior to issuance of building permits. All exterior lighting shall be directed away from adjoining properties and not interfere with the driving safety of vehicular traffic. Exposed bulbs will not be permitted.

Landscaping

62. On-site and off-site landscaping and irrigation shall not be installed until plans are approved by the Planning Manager. Any deviation shall require prior written request and approval. Removal or modification shall be at developer's expense.
63. 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, and replacing dead or unhealthy vegetation.
64. A detailed landscaping plan shall be submitted to the Planning Department for review and approval prior to issuance of building permits. The landscape and irrigation plan shall satisfy the purpose and intent of the City Design and Development Guidelines, shall be prepared by a licensed landscape architect, and shall be consistent with the State of California's Model Water Efficient Landscaping ordinance. The landscape and irrigation plan will, at a minimum:
 - Provide landscaping areas throughout the project, so as to provide a minimum of 70% vegetative cover at maturation (approximately three years).
 - Provide shade trees throughout the parking lot, with a minimum of one tree per five parking spaces. This shall be partially satisfied by shade trees being planted in landscape peninsulas within the parking field.

- Landscaped areas are to be provided with permanent automatic irrigation systems.
- A detailed planting list for landscaping, with the number, size and specie of all plantings shall be included as part of the approved plan.

(OR)

Motion 2: Move to continue the application for Conditional Use Permit 2015-23 and Site Plan Review 2015-27 to the November 10, 2015 Planning Commission meeting for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for Conditional Use Permit 2015-23 and Site Plan Review 2015-27, based on and subject to the following findings: (specify)

ATTACHMENTS

Aerial Photo

Site Plan Phase 1

Eventual Overall Site Plan

Floor Plan

Elevations

Negative Declaration

Aerial Photo





Conceptual Illustrative-Partial Site Plan-Phase 1 Sheet A2

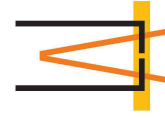
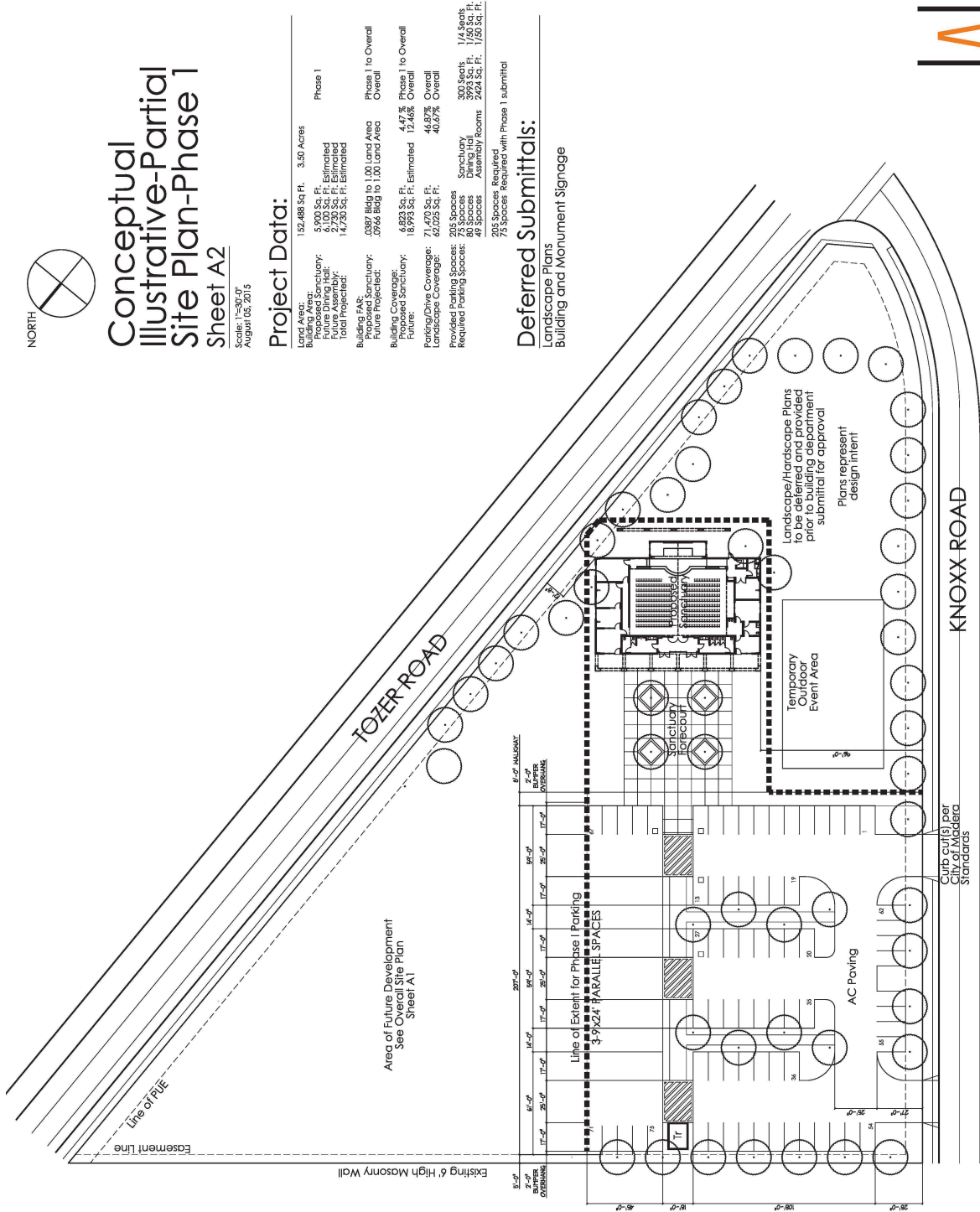
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August 05, 2015

Project Data:

	Phase 1	Phase 1 to Overall	Phase 1 to Overall
Land Area:	132,488 Sq. Ft.	3.57 Acres	
Building Area:			
Proposed Sanctuary:	5,700 Sq. Ft. Estimated		
Future Sanctuary:	2,730 Sq. Ft. Estimated		
Future Assembly:	14,730 Sq. Ft. Estimated		
Total Projected:			
Building F&B:			
Future Projected:	6387 Bldg to 1,001 Land Area		
Building Coverage:		4.47% Overall	
Proposed Sanctuary:	6,823 Sq. Ft. Estimated	12.46% Overall	
Future:	18,793 Sq. Ft. Estimated	44.87% Overall	
Parking/Drive Coverage:	71,470 Sq. Ft.	48.67% Overall	
Landscape Coverage:	62,025 Sq. Ft.		
Provided Parking Spaces:	205 Spaces	Sanctuary	300 Seats
Required Parking Spaces:	80 Spaces	Dining Hall	39723 Sq. Ft. 1/59 Sq. Ft.
	49 Spaces	Assembly Rooms	2424 Sq. Ft. 1/59 Sq. Ft.
	205 Spaces Required		
	75 Spaces Required with Phase 1 submittal		

Deferred Submittals:

Landscape Plans
Building and Monument Signage



LEE-JAGOE ARCHITECTURE
INCORPORATED

Aphesis Apostolic Ministries Madera, California

Eventual Overall Site Plan



Conceptual Illustrative Site Plan-Overall Sheet A1

Submittal Sheet List

- A1 Overall Site Plan
- A2 Partial Site Plan-Phase 1
- A3 Sanctuary Floor Plan
- A4 Sanctuary Floor Plan
- A5 Front/Rear Elevations
- A6 Colored Front/Rear Elevations
- A7 Colored Front/Rear Elevations
- A8 Colored Front/Rear Elevations
- A9 Color and Material Board

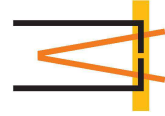
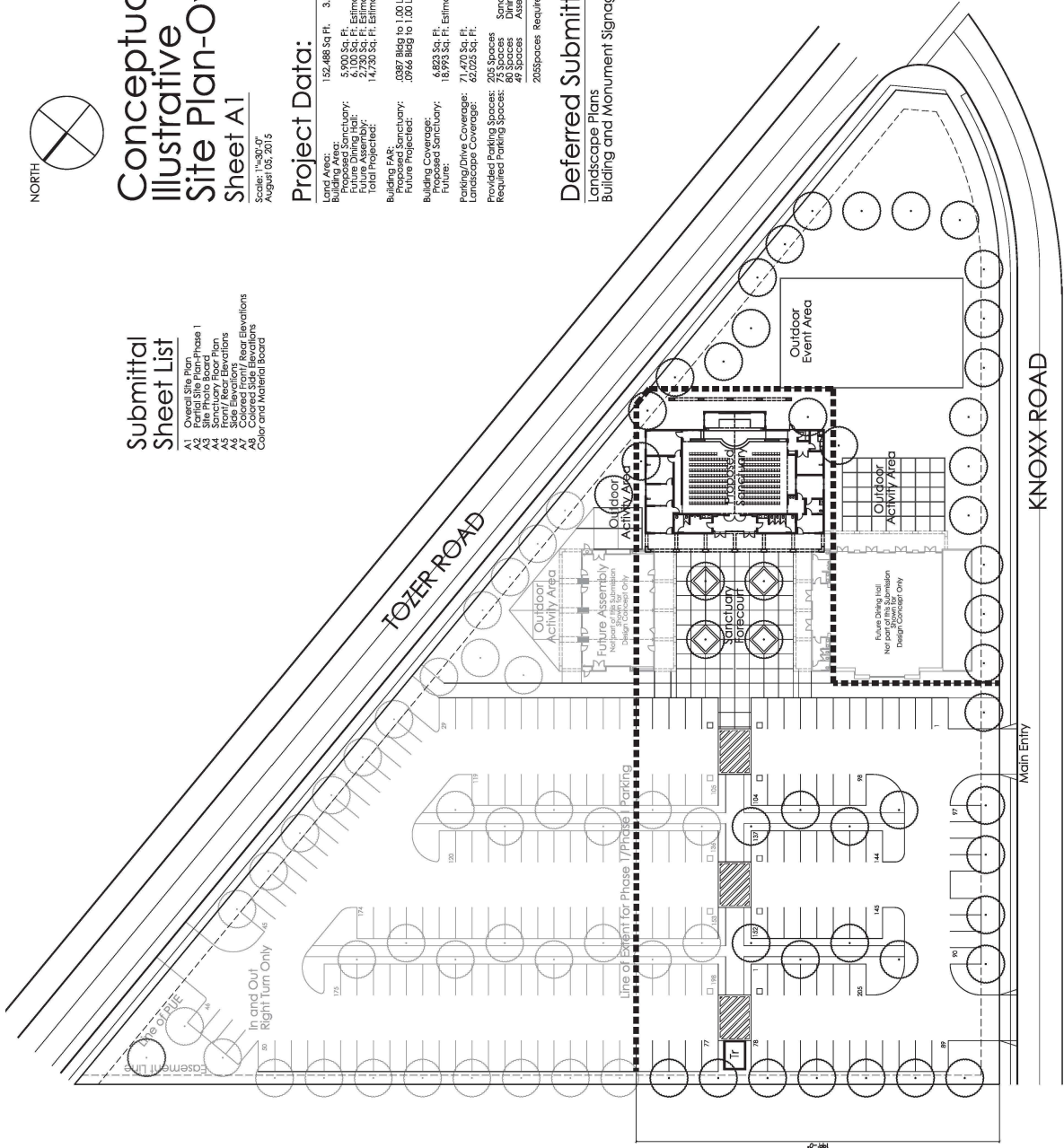
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Project Data:

Land Area:	152,488 Sq. Ft.	3.50 Acres
Building Coverage:	5,900 Sq. Ft.	4.47%
Proposed Sanctuary:	5,100 Sq. Ft.	Estimated
Future Dining Hall:	800 Sq. Ft.	Estimated
Total Projected:	14,730 Sq. Ft.	Estimated
Building FAR:	.0897 Bldg to 1.00 Land Area	
Future Projected:	.0966 Bldg to 1.00 Land Area	
Building Coverage:	6,823 Sq. Ft.	4.47%
Proposed Sanctuary:	18,973 Sq. Ft.	Estimated
Future:	71,470 Sq. Ft.	46.87%
Parking/Drive Coverage:	62,025 Sq. Ft.	40.67%
Provided Parking Spaces:	205 Spaces	
Sanctuary:	5,100 Sq. Ft.	1/4 Seats
Dining Hall:	800 Sq. Ft.	1/4 Seats
Assembly Rooms:	2,224 Sq. Ft.	1,750 Sq. Ft.
2055 spaces Required		

Deferred Submittals:

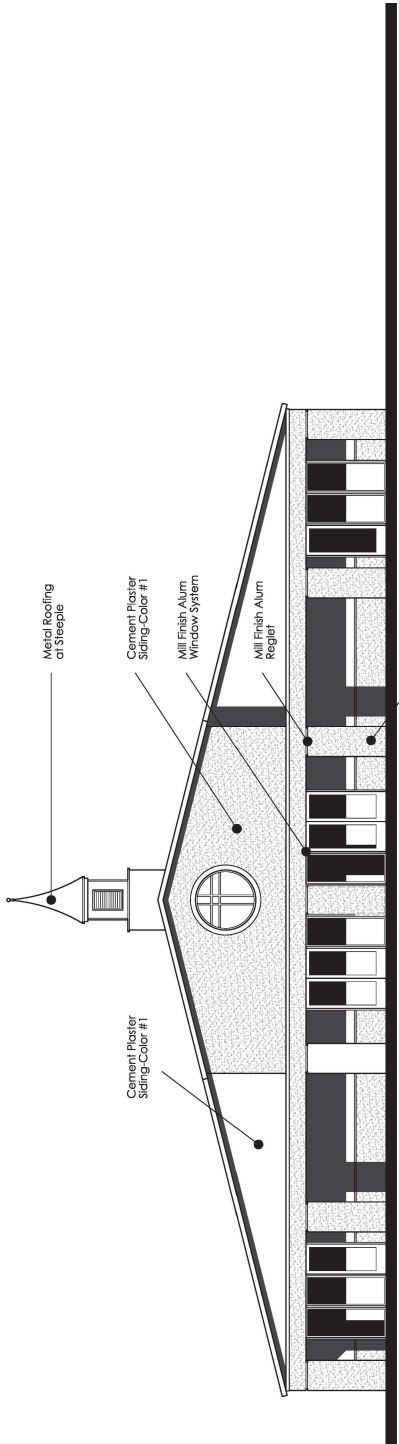
Landscape Plans
Building and Monument Signage



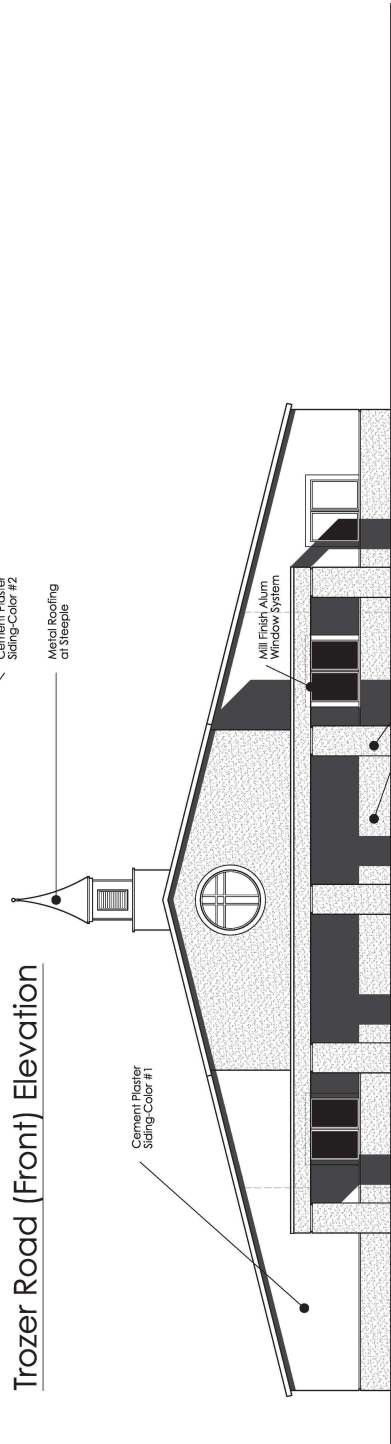
LEE JAGOE ARCHITECTURE
INCORPORATED

Aphesis Apostolic Ministries Madera, California

Elevations



Trozer Road (Front) Elevation



Knox Road (Rear) Elevation

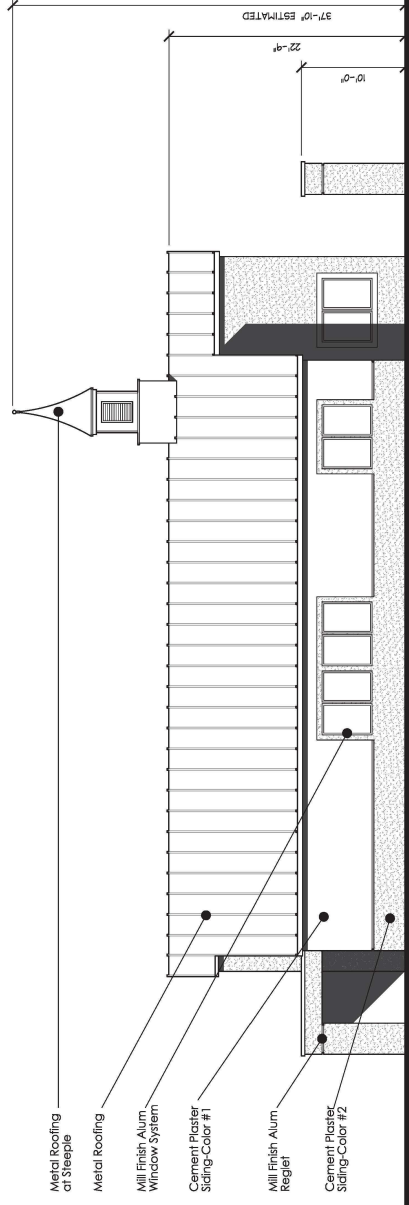
Conceptual
Exterior Elevation
Sheet A5

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AUGUST 05, 2015

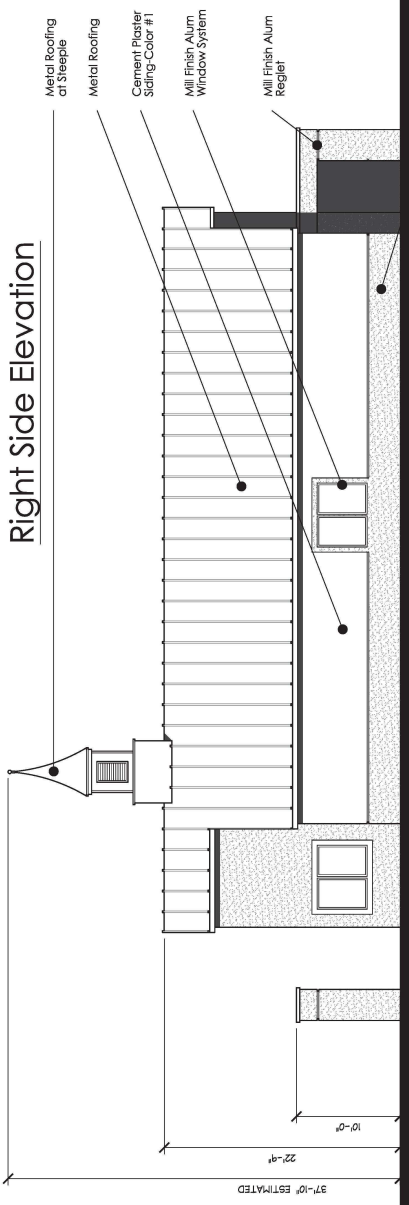


LEE JAGOE ARCHITECTURE
INCORPORATED

Aphesis Apostolic Ministries
Madera, California



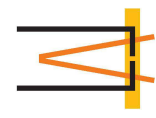
Right Side Elevation



Left Side Elevation

Conceptual
 Exterior Elevation
 Sheet A6

SCALE: 1/8"=1'-0"
 AUGUST 05, 2015



LEE JAGOE ARCHITECTURE
 INCORPORATED

Aphesis Apostolic Ministries
 Madera, California

INITIAL STUDY AND ENVIRONMENTAL ASSESSMENT

Aphesis Apostolic Ministry Conditional Use Permit 2015-23 Site Plan Review 2015-27

This environmental assessment has been prepared to evaluate the impacts of the proposed project as required by the California Environmental Quality Act (CEQA). CEQA requires that public agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on those projects (Public Resources Code [PRC] 21000 et seq.). For this project, the City is the lead agency under CEQA because it has the primary responsibility for approving and implementing the project, and therefore the principal responsibility for ensuring CEQA compliance.

Project: Conditional Use Permit 2015-23
Site Plan Review 2015-27

Applicant: Aphesis Apostolic Ministries

Owner: Greg Bradford

Location: The project site encompasses approximately 3.5 acres of land located at the northwest corner of Knox Street and Road 28 (Tozer) (APN# 011-340-005).

Proposal: An application for conditional use permit and site plan review to allow for the construction of a church campus. A sanctuary with seating for 300 is proposed on the 3.5 acre undeveloped parcel. Submitted plans show access from both Road 28 and Knox Street. The project site is located the C1 (Light Commercial) Zone District, with a C (Commercial) General Plan land use designation. A Conditional Use Permit is required to allow for a church. The project includes the construction of the church sanctuary, a dining hall, an assembly hall, an approximately seventy-five stall parking field with associated paths of travel for vehicles and pedestrians, landscaping, other related on-site improvements, and off-site right-of-way improvements to the frontage of the property.

Existing Zone District: C1 (Light Commercial)

Existing General Plan Land Use Designation: C (Commercial)

Surrounding Land Uses and Zoning:

South – Highway 99

North – Residential

West – Commercial

East – Rural Residential

Responsible and Interested Agencies:

Madera Irrigation District

San Joaquin Valley Air Pollution Control District

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. None of these factors represents a "Potentially Significant Impact" as indicated by the checklist on the following pages

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Mat. | <input checked="" type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input checked="" type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Mandatory Findings |

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature _____
Printed Name: Kira Noguera

Date: September 21, 2015

Explanation of Environmental Checklist

I. AESTHETICS. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: The project proposes to construct a

The project site has been identified for commercial development within the 2009 General Plan and is zoned appropriately for the proposed use. The project will not affect a scenic vista and will not have an overall adverse visual impact on the immediate area. The project will not affect a scenic highway, and will not have an overall adverse visual impact on any scenic resources. The project would result in some sources of light. Existing City Standards will insure that the impact is less than significant and will not substantially degrade the existing visual character or quality of the property and its surroundings.

a) **No Impacts.** The project will not result in the obstruction of federal, state or locally classified scenic areas, historic properties, community landmarks, or formally classified scenic resources such as a scenic highway, national scenic area, or state scenic area. The project will not have a substantial adverse effect on a scenic vista.

b) **No Impacts.** The project will not damage scenic resources, including, but not limited to, rock outcroppings, and historic buildings within a state scenic highway.

c) **Less Than Significant Impacts.** The project would not degrade the existing visual character or quality of the site and surroundings under examination. The proposed project would not alter the landforms, view sheds, and overall character of the area. The construction of a church is consistent with other surrounding urban uses.

d) **Less Than Significant Impacts.** There will be an increase in light and glare and other aesthetic impacts associated with the church as a result of the project, although it will be a less than significant impact. Lights will be shielded and directed down so as to not impact surrounding properties.

II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepare pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: The project area is located on land identified as (G) Grazing Land within the 2014 California Farmland Mapping and Monitoring Program.

a.) **No Impacts.** The project would not convert prime farmland, unique farmland, or farmland of statewide importance (as shown on the maps prepared pursuant to the farmland mapping and monitoring program of the California resources agency) to non-agricultural use. The project site has been identified for commercial use within the City of Madera General Plan, and the project is consistent with zoning.

a) **No Impacts.** The project would not conflict with existing zoning for agricultural use and there are no Williamson Act contracts in the affected territory. The City of Madera General Plan identifies this site for commercial uses.

b) **Less Than Significant Impacts.** The development of this property will not influence surrounding properties to convert from farmland to non-agricultural uses since this property is designated for urban development, consistent with the Madera General Plan. The property is located on the edge of the city limit, but will not put development pressure on surrounding properties given the proposed use of a church will not increase demand for housing, commercial or industrial uses.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project area is located within the San Joaquin Valley Air Basin (SJVAB). Air quality conditions in the SJVAB are regulated by San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD). The region is classified as a State and Federal non-attainment area for PM10 (airborne particulate matter with an aerodynamic diameter of less than 10 microns), and ozone (O3).

Air quality is determined primarily by the type and amount of contaminants emitted into the atmosphere, the size and topography of the Basin, and its meteorological conditions. National and state air quality standards specify the upper limits of concentrations and duration in the ambient air for O3, CO, nitrogen dioxide (NO2), PM10, sulfur dioxide (SO2) and lead (Pb). These are “criteria pollutants.” The SJVUAPCD also conducts monitoring for two other state standards: sulfate and visibility.

The State of California has designated the project area as being a severe non-attainment area for 1-hour O3, a non-attainment area for PM10, and an attainment area for CO. The EPA has designated the project area as being an extreme non-attainment area for 1-hour O3, a serious non-attainment area for 8-hour O3, a serious non-attainment area for PM10, and a moderate maintenance for CO.

The project will not conflict with or obstruct the implementation of applicable Regional Air Quality Control Plans. The project would not create substantial air emissions or deterioration of ambient air quality, and any future development would be subject to Air Pollution Control

District review. Construction equipment will produce a small amount of air emissions from internal combustion engines and dust. The project will not violate any air quality standard or substantially contribute to an existing or projected air quality violation. The project will not result in a considerable net increase in non-attainment pollutants in this area. The project will not expose sensitive receptors to any significant amount of pollutants. The project will not create any objectionable odors.

The project will be required to comply with all applicable rules and regulations of the SJVUAPCD, including but not limited to Rules 8041, 8051, 8061 and 8071.

- a) **Less Than Significant Impacts.** The proposed project would not conflict with or obstruct implementation of the applicable air quality plan.
- b) **Less Than Significant Impacts.** The proposed project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.
- c) **Less Than Significant Impacts.** The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard, including releasing emissions which exceed quantitative thresholds for ozone precursors.
- d) **No Impacts.** The proposed project would not expose sensitive receptors to substantial pollutant concentrations.
- e) **No Impacts.** The proposed project would not create any new/permanent objectionable odors affecting a substantial number of people.

IV. BIOLOGICAL RESOURCES. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: With the preparation of the City of Madera General Plan, no threatened or endangered species were identified in the project area. There is no record of special-status species in this project area. Development of the project area is consistent with the urbanization of the Madera area, as evaluated in the General Plan and its EIR; therefore impacts in this category are not anticipated to exceed the impacts addressed in those documents.

a) **Less Than Significant Impacts.** The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or

regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

b) **No Impacts.** The proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.

c) **No Impacts.** The project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act, including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means.

d) **Less Than Significant Impacts.** The project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

e) **No Impacts.** The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

f) **No Impacts.** The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

V. CULTURAL RESOURCES. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project does not have the potential to cause a physical change that would affect unique historic, ethnic, or cultural values. The project will not disturb archaeological resources. The project will not disturb any unique paleontological or geologic resources. The project will not disturb any human remains. Prior clearances have been granted to the City of Madera relative to archeological surveys conducted in the same area. In the event any archeological resources are discovered with project construction, all activities shall cease and the Community Development Department shall be notified so that the procedures required by State Law may be applied.

a) **No Impacts.** The proposed project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines. There are no known historical resources located in the affected territory.

b) **No Impacts.** The proposed project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines. There are no known archaeological resources located in the project area.

c) **No Impacts.** The proposed project would not directly or indirectly destroy a unique a paleontological resources or sites or unique geologic features. There are no known paleontological resources or sites or unique geologic features located in the affected territory.

d) **No Impacts.** The project would not likely disturb any human remains, including those interred outside of formal cemeteries. If development occurs in the future and any remains are discovered, the requirements of CEQA that regulate archaeological and historical resources (Public Resources Code Section 21083.2 and 21084.1), and all local, state and federal regulations that regulate archaeological and historical resources would be complied with.

VI. GEOLOGY AND SOILS. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: There are no known faults on the project site or in the immediate area. The project site is subject to relatively low seismic hazards compared to many other parts of California. Potential ground shaking produced by earthquakes generated on regional faults lying outside the immediate vicinity in the project area may occur. Due to the distance of the known faults in the region, no significant ground shaking is anticipated on this site. Seismic hazards on the built environment are addressed in *The Uniform Building Code* that is utilized by the Madera Building Division to monitor safe construction in the City.

ai.) No Impacts. No known faults with evidence of historic activity cut through the valley soils in the project vicinity. The major active faults and fault zones occur at some distance to the east, west, and south of the project site. Due to the geology of the project area and its

distance from active faults, the potential for loss of life, property damage, ground settlement, or liquefaction to occur in the project vicinity is considered minimal.

aii) No Impacts. Ground shaking generally decreases with distance and increases with the depth of unconsolidated alluvial deposits. The most likely source of potential ground shaking is attributed to the San Andreas, Owens Valley, and the White Wolf faults. Based on this premise, and taking into account the distance to the causative faults, the potential for ground motion in the vicinity of the project site is such that a minimal risk can be assigned.

aiii) No Impacts. Liquefaction describes a phenomenon in which a saturated, soil loses strength during an earthquake as a result of induced shearing strains. Lateral and vertical movement of the soil mass, combined with loss of bearing usually results. Loose sand, high groundwater conditions (where the water table is less than 30 feet below the surface), higher intensity earthquakes, and particularly long duration of ground shaking are the requisite conditions for liquefaction. There is no evidence of the presence of these requisite conditions.

aiv) No Impacts. The project will not result in or expose people to potential impacts from landslides or mudflows.

b) No Impacts. Construction of urban uses would create changes in absorption rates, drainage patterns, and the rate and amount of surface runoff on the selected project site. Standard construction practices that comply with City of Madera ordinances and regulations, The California Building Code, and professional engineering designs approved by the Madera Engineering Division will mitigate any potential impacts from future urban development, if any.

c) No Impacts. The project site would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

d) No Impacts. The project will not result in or expose people to potential impacts from expansive soils.

e) No Impacts. The necessary sewer and water systems as in place to serve the project.

VII. Greenhouse Gas Emissions. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: In the absence of further regulatory or scientific information related to GHG emissions and CEQA significance, it is currently too speculative to make a significance determination regarding the project’s direct and indirect impact with respect to climate change. The City General Plan includes policies in support of GHG emissions reduction and climate change. The City supports local, regional, and statewide efforts to reduce the emission of greenhouse gases linked to climate change.

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project will not bring about an increase in the risk of accidental explosion or release of hazardous substances. The project site has not been identified as a hazardous material site. The project will not result in a substantial air safety hazard for people residing in the area or future residents of the project. The project is outside of the boundaries of the Madera County Airport Land Use Compatibility Plan. The project will not result in any

hazards to air traffic or be a substantial air safety hazard. The project will not interfere with any emergency response or evacuation plans. Truck traffic generated with construction of the project is expected to be insignificant. The project will not bring about an increase in fire hazards in areas from flammable brush, grass, or trees.

- a) **No Impacts.** The proposed project would not create any hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- b) **No Impacts.** The proposed project would not create any hazards to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- c) **No Impacts.** The project would not emit hazardous emissions or require the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- d) **No Impacts.** The land within the project site is not included on a list of hazardous materials sites. The Department of Toxic Substances Control's Hazardous Waste and Substances Site List (Cortese List) does not list any hazard waste and substances sites with in the City of Madera (www.dtsc.ca.gov/database/Calsites/Cortese_List.cfm).
- e) **No Impacts.** The project site is not located within an airport land use plan, within two miles of a public airport or public use airport. The proposed project would not bring about a safety hazard related to the airport or aviation activities for people residing or working in the project area.
- f) **No Impacts.** The project site is not located within the vicinity of a private airstrip, and would not result in a safety hazard for people residing or working in the project vicinity related to an airstrip or aviation activities.
- g) **No Impacts.** The proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.
- h) **No Impacts.** The proposed project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires.

IX. HYDROLOGY AND WATER QUALITY. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The proposed project would not violate any water quality standards or waste discharge requirements. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. Services will be provided in accordance with the City's Master Plans. The project will not change any drainage patterns or stream courses, or the source or direction of any water movement. During construction, the project site may be exposed to increased soil erosion from wind and water. Dust control will be used during construction. With completion, the project will not bring about erosion, significant changes in topography or unstable soil conditions.

The project will not expose people or property to water related hazards. Standard construction practices and compliance with City ordinances and regulations, *The Uniform Building Code*, and adherence to professional engineering design approved by the Madera Engineering Department will mitigate any potential impacts from this project. This development will be required to comply with all City ordinances and standard practices which will assure that storm water will be adequately drained into the approved storm water system. The project will not create any impacts on water quality.

Based on a review of the City's FEMA maps, the site is in a Zone X, and the project will not place housing or other land uses in a 100-year flood hazard area. These are areas outside of the 500-year flood area. The project will not expose people or structures to a significant risk because of dam or levee failure. The project will not expose people or structures to a significant risk because of a seiche, mudflow, or tsunami.

- a) **No Impacts.** Development of the project site would be required to comply with all City of Madera ordinances and standard practices which assure proper grading and storm water drainage into the approved storm water systems. Any development would also be required to comply with all local, state, and federal regulations to prevent any violation of water quality standards or waste discharge requirements.
- b) **No Impacts.** The proposed project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.
- c) **No Impacts.** The proposed project would not alter the existing drainage pattern of the site or area through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site.
- d) **No Impacts.** The proposed project would not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off-site.
- e) **No Impacts.** The proposed project would not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.

- f) **No Impacts.** The proposed project would not degrade water quality.
- g) **No Impacts.** The project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.
- h) **No Impacts.** The project would not place within a 100-year flood hazard area structures that would impede or redirect flood flows.
- i) **No Impacts.** The project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- j) **No Impacts.** The project would not have any potential to be inundated by a seiche, tsunami, or mudflow.

X. LAND USE AND PLANNING. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: Development of the project is consistent with the urbanization of the project area, as evaluated in the General Plan and its EIR; therefore impacts in this category are avoided.

a) **No Impacts.** The project would not physically divide an established community. Rather, it logically allows development to occur in an orderly manner, within the urbanized area of the City.

b) **No Impacts.** The proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.

c) **No Impacts.** The project would not conflict with any applicable habitat conservation plan or natural community conservation plan.

XI. MINERAL RESOURCES. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) **No Impacts.** The project would not result in the loss or availability of mineral resources.

b) **No Impacts.** The proposed project would not result in the loss of availability of any locally important mineral resource recovery sites.

XII. NOISE. Would the project result in:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: These potential impacts were addressed in the General Plan EIR, and goals and mitigation measures were adopted to reduce potential impacts to a less than significant level. Development of the project area is consistent with the urbanization of the Madera area, as evaluated in the General Plan, and its EIR; therefore impacts in this category are not anticipated to exceed the impacts addressed in those documents.

- a) **No Impacts.** The proposed project would not result in exposure of persons to or the generation of noise.
- b) **No Impacts.** The proposed project would not result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.
- c) **No Impacts.** The proposed project would not result in any permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- d) **Less than significant impact.** The proposed project may result in some temporary increase in ambient noise levels in the project vicinity during construction.

e) **No Impacts.** The proposed project site is not located within an airport land use plan or within two miles of a public airport or public use airport. Figure 14 of the Madera Municipal Airport Master Plan Report demonstrates that all 60 and 65 CNEL noise contours are contained entirely within the boundaries of the airport.

f) **No Impacts.** The project will is not located within the vicinity of a private airstrip.

XIII. POPULATION AND HOUSING. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The proposed project will not induce additional growth in this area. The property involved does not have any existing residential uses and the project would not displace any housing. Likewise, the project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

- a) **No Impacts.** The proposed church will not induce population growth either directly or indirectly. No expansion of business activities is proposed as a result of this project.
- b) **No Impacts.** The proposed project would not displace any existing housing, thereby necessitating the construction of replacement housing elsewhere, since the site is vacant.
- c) **No Impacts.** The proposed project would not displace any people.

XIV. PUBLIC SERVICES.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project will not bring about a significant increase in demand for public services. The project will not significantly increase the demand on water supplies. The project will not increase the need for additional storm water drainage facilities beyond the existing and master planned drainage basin facilities that are available to serve the project. The project area will be required to comply with the City’s Master Plan, Ordinances, and standard practices. The County’s current landfill continues to have sufficient capacity. The project will not bring about a significant increase in the demand for solid waste disposal services and facilities.

- i) Fire protection. **Less than significant Impacts.** The proposed project would not result in substantial adverse physical impacts to fire protection services.
- ii) Police protection. **Less than significant Impacts.** The proposed project would not result in substantial adverse physical impacts associated with the provision of police protection.
- iii) Schools. **No Impacts.** The proposed project would not generate impacts to the schools in Madera.
- iv) Parks. **No Impacts.** The proposed project would not generate impacts to the park facilities in Madera.
- v) Other public facilities. **No Impacts.** The proposed project would not have any impacts on other public facilities.

XV. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: Industrial development is consistent with the City of Madera General Plan and Zoning Ordinance. Impacts in this category are not anticipated to exceed the impacts addressed in those documents.

a) **No Impacts.** The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

b) **No Impacts.** The project does not include recreational facilities or facilities which might have an adverse physical effect on the environment.

XVI. TRANSPORTATION/TRAFFIC. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: This property was included in the General Plan and its EIR and the potential traffic generated from this land use considered. The goals and policies of the General Plan serve to mitigate traffic impacts that occur as a result of new development. Road 28 (Tozer), east of the project site, is identified as an Arterial per the General Plan. Almond Avenue, north of the project site, is identified as Collector Street per the General Plan.

a) **Less than significant impact.** The proposed project would not cause an increase in traffic above the capacity of the street system. The City Engineer has determined any increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections will be below the threshold necessary for a traffic study.

b) **Less than significant impact.** The project would not exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

c) **Less than significant impact.** The proposed project would not result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in safety risks.

- d) **Less than significant impact.** The proposed project would not increase hazards to transportation systems due to design features such as sharp curves, dangerous intersections, or incompatible uses. The intersection of Road 28 and Knoxx Street at the south end of the project will remain in its current design. Sight lines will be maintained to reduce any hazards.
- e) **No Impacts.** The proposed project would not result in inadequate emergency access.
- f) **No Impacts.** The proposed project would not result in inadequate parking capacity.
- g) **No Impacts.** The project will not conflict with adopted policies, plans, or programs supporting alternative transportation.

XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The City's community sewage disposal system will continue to comply with Discharge Permit requirements. The project will not bring about the need for new wastewater treatment facilities. The project will not significantly increase the demand on water supplies, adequate domestic water and fire flows should be available to the property. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. The project will not increase the need for additional storm water drainage facilities beyond the existing and master planned drainage basin facilities that are available to serve the project. The project area will be required to comply with the City's Master Plan, Ordinances, and standard practices. The County's current landfill continues to have sufficient capacity. The project will not bring about a significant increase in the demand for solid waste disposal services and facilities.

a) **No Impacts.** The project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

- b) **No Impacts.** The proposed project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- c) **No Impacts.** The proposed project would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- d) **No Impacts.** There will be sufficient water supplies available to serve the project.
- e) **No Impacts.** The project would not require a determination by a wastewater treatment provider.
- f) **No Impacts.** The project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.
- g) **No Impacts.** The project will be required to comply with federal, state, and local statutes as well as regulations related to solid waste by the City of Madera.

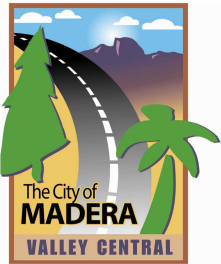
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Determination:

Based upon staff analysis and comments from experts, it has been determined that the proposed project could generate some limited adverse impacts in the areas of Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Noise, and Public Services, and Traffic.

The potential impacts identified in this Initial Study are considered to be less than significant since they will cease upon completion of construction or do not exceed a threshold of significance. Therefore, a Negative Declaration is the appropriate level of documentation for this project.



CITY OF MADERA PLANNING COMMISSION

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

Staff Report: Master Storage SPR 2015-29 & Categorical Exemption Item #2 – October 13, 2015

PROPOSAL: An application for a site plan review for the construction of an approximately 101,000 square foot mini-storage facility in the CH (Highway Commercial) Zone District.

APPLICANT:	Richard Torosian, Donnie Andrade & David Andrade	OWNER:	Richard Torosian, Donnie Andrade & David Andrade
ADDRESS:	Knox Street and Avenue 13½	APN:	001-340-004
APPLICATIONS:	SPR 2015-29	CEQA:	Categorical Exemption

LOCATION: The project site is located on the east side of Knox Street south of its intersection with Almond Avenue

STREET ACCESS: The site is accessed from Knox Street.

PARCEL SIZE: Approximately 4.92 acres

GENERAL PLAN DESIGNATION: O (Office)

ZONING DISTRICT: CH (Highway Commercial)

SITE CHARACTERISTICS: The property is currently undeveloped. There is residential development to the north and east, a proposed church to the south, and highway 99 to the west.

ENVIRONMENTAL REVIEW: This project is categorically exempt under §15332 (In-fill Development) of CEQA Guidelines.

SUMMARY & RECOMMENDATION: The applicant proposes the construction an approximately 101,000 square foot mini-storage facility. The structures and overall site design are in conformance with the goals and policies of the General Plan. Staff recommends approval of the site plan review for the project.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.9.301 Highway Commercial Zone
MMC § 10-3.4.0101 Site Plan Review
MMC § 10-3.1201 Parking Regulations

The General Plan designates the project site as O (Office) property. The project site is located in the CH (Highway Commercial) Zone District. The CH (Highway Commercial) Zone District allows for the development of a mini-storage facility. Construction of the physical improvements on the site is subject to the site plan review process to ensure consistency with the General Plan and compliance with other applicable ordinance.

PRIOR ACTION

The site was annexed into the City in 2001 as part of the City of Madera - Enoch Packing Company Annexation. The site is located within the East Olive Specific Plan, adopted December, 2004.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

In 2009, after an extensive visioning process and public comment, the City adopted an updated General Plan which “represents the product of years of effort on the part of residents and businesses in the community working to maintain and improve Madera’s quality of life and implement the community’s shared vision for the future.” As a component of the new General Plan, individual project proposals “must be consistent with the goals and policies in this General Plan.” Some of the goals and policies that are mandated in the Community Design element of the General Plan are:

Goals: **CD-1** High quality urban design throughout Madera.
CD-4 Attractive streetscapes in all areas of Madera.
CD-12 Aesthetically pleasing commercial development.

Policies: **CD-12** Public art (statues, sculpture, fountains, and monuments) and other design features should be used to enliven the public realm.
CD-15 Except where site conditions make it infeasible, new commercial development shall be designed to front or have a presence along all street frontages. The intent of this policy is to enhance the pedestrian scale of new development, and minimize the presence of parking, circulation, and loading areas as the primary visual features of development.
CD-22 Commercial developments should have public open space areas such as plazas, courtyards, expanded walkways, or other areas suitable for small gatherings. The facilities should be sized proportionate to the scale of the development.
CD-47 Commercial projects shall be designed to minimize the intrusion of parked vehicles on the streetscape. Parking areas, driveways, and drive-through lanes should not be located between buildings and the sidewalk.
CD-48 Buildings and building entrances shall be oriented to the pedestrian environment.
CD-49 Buildings shall include human-scale details such as windows facing the street, awnings, and architectural features that create a visually interesting pedestrian environment.
CD-50 Parking lots shall be landscaped, including shade trees, to create an attractive pedestrian environment and reduce the impact of heat islands.

CD-51 Safe and well-defined pedestrian connections from buildings to parking areas, from buildings to the adjoining street(s), and among buildings on the same site shall be provided. Pedestrian connections between commercial development and surrounding residential neighborhoods shall also be provided. Enhanced paving materials or other techniques shall be used to identify pedestrian connections.

CD-53 Unarticulated, boxy structures shall be broken up by creating horizontal emphasis through the use of trim, varying surfaces, awnings, eaves, or other ornamentation, and by using a combination of complementary colors.

CD-57 Where possible, parking lots shall be located behind or on the side of buildings to reduce their visual impact.

These and other goals and policies are the standards that all new development in the City is measured by. Combined, they implement the principles of the Community Design element of the General Plan.

In the case of the proposed mini-storage, staff and the applicant have worked collaboratively toward developing a project in conformance with the General Plan. As proposed, the site plan and building elevations are in conformance with the General Plan.

ANALYSIS

Background

The East Olive Specific Plan designated this site for Mixed Use development with the intention of “providing buffering to adjacent residential homes from noise attenuation”. A mini-storage facility is a permitted use in the Highway Commercial zoning district and consistent with the Specific Plan Mixed Use designation.

Project Description & Compatibility

The project site is proposed for development of a 101,262 square foot Master Storage mini-storage facility. Master Storage proposes to construct a 1,400 square foot main office, 7,150 square feet of climate controlled storage, and approximately 92,500 square feet of mini-storage units. The site will include a customer entrance from Knox Street with parking, a covered porch, and a fountain feature. A ten foot tall wall will be constructed along the back of the property to provide a buffer for the residential neighborhood to the east of the project site.

The mini-storage use is well suited for this location. The relatively long, skinny shape of the parcel and close proximity to Highway 99 make it a unique site. The mini-storage will serve a need in the community overall and the adjacent neighborhood where housing development has occurred in small-lot subdivisions that lack abundant storage opportunities on site. Residents adjacent to the site will benefit from the project’s ability to buffer their neighborhood from freeway noise while the mini-storage use itself will produce very little noise. Only occasional loading and unloading during daytime hours of operation can be expected.

Negative impacts to the adjacent homes could include increased lighting from the mini-storage facility and a change in the view from the rear windows of two story homes. A condition of approval has been included to reduce light impacts by requiring all fixtures be down shielded and directed away from adjoining properties. Down shielded wall sconces are recommended. The view of the storage facility roof tops from adjacent second story homes cannot be mitigated. An existing eight foot wall will substantially help to reduce noise, light, and viewshed impacts to neighboring homes.

Operations

Master Storage proposes to operate a full service mini-storage facility for residential and business customers. The site provides for flexible unit sizes and some climate controlled units. Additional products and services offered include wine storage packaging supplies, storage supplies, mail boxes, mailing services, and packing and unpacking services. The office will be open from 8:00 a.m. to 6:00 p.m. with gate access available 7:00 a.m. to 7:00 p.m., seven days a week.

Site Design & Architecture

Master Storage aims to brand their project with their site design and architecture. Long storage buildings will form a border around the perimeter of the site. An office, design features, parking field, new trash enclosure, and security gated entrance to the storage buildings are located off of Knox Street in the middle of the project frontage. The design includes enhanced architectural treatments called for by **Policy CE-53** such as towers and cupolas with hipped roofs, stucco pop out arches with gable roofs, and tile roofing. The office includes a covered porch area and other embellishments, cumulatively satisfying **Policies CD-12** and **CD-22**. Although the interior of the site is comprised mostly of industrial style metal storage buildings, the design does aspire to a higher architectural value and “includes human-scale details...and architectural features that create a visually interesting pedestrian environment” (**Policy CD-49**). The site satisfies the goals and policies of the General Plan, specifically **Goal CD-12**, “Aesthetically pleasing commercial development.”

Parking

City parking standards for the proposed use call out a ratio of one parking space for each 300 square feet of office space. A minimum of four (4) parking stalls are required to serve the project. Four (4) parking stalls are proposed for customers, including one ADA-compliant space, as well as a covered parking area located behind the office within the securely gated area. The design of the parking field is consistent the Zoning Ordinance and General Plan policy which encourages landscape peninsulas as integral components of site design that provide greater shade for vehicles, create an attractive pedestrian environment, and reduce the impact of heat islands (**Policy CD-50**).

Landscaping

A detailed landscaping plan has not been provided as a component of the project. The site plan and elevations show landscaped areas and palm trees in the parking field and along the project frontage creating an attractive streetscape (**Policy CD-4**). A landscape and irrigation plan would be required as a component of any formal submittal for building permit plan check. The landscape and irrigation plan should be prepared by a licensed landscape architect, consistent with the State of California’s Model Water Efficient Landscape Ordinance. Landscaping should be designed to provide ample shade while enhancing site aesthetics.

The proposed site plan review has been reviewed by various City Departments and outside agencies. The responses and recommendations have been incorporated into staff’s recommendation to the Planning Commission.

SUMMARY OF RECOMMENDATIONS

Site design cumulatively satisfies the goals and policies of the General Plan. The information presented in this report supports approval of the site plan review.

PLANNING COMMISSION ACTION

The Planning Commission will be acting on Site Plan Review 2015-29, determining to either:

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

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 the site plan review, based on and subject to the findings and conditions of approval:

Findings

- The project is categorically exempt under §15332 (In-fill Development) of CEQA Guidelines
- The establishment of a mini-storage facility is consistent with the purposes of the O (Office) General Plan designation and the CH (Highway Commercial) Zone District which provide for the, subject to the completion of site plan review.
- As conditioned, development of the site is consistent with the Madera General Plan principles, goals and policies.
- As conditioned, the project will be consistent with established codes, standards and policies relating to traffic safety, street improvements and environmental quality.
- As conditioned, the establishment, maintenance or operation of the mini-storage facility 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. Site Plan Review 2015-29 will expire one year from date of issuance, unless positive action is taken on the project as provided in the Municipal Code or take the required action to extend the approval before expiration date. (Municipal Code Section 10-3.4.0114, Lapse of Site Plan Approval)
3. 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.

4. 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.
5. 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.

Building Department

6. Site development shall be consistent with the approved site plan, floor plan, and elevations. The uses of all rooms and activity areas shall be identified on plans submitted for issuance of building permits. If no plans are to be submitted, uses shall be as stated on plans submitted for site plan approval.
7. Provide a minimum of three (3) sets of the following plans to the Building Department for the initial plan check. Plans shall be prepared by an individual licensed to practice architecture and includes the following required drawings drawn to an appropriate scale:
 - a) Site plan bearing City approval or a plan incorporating all site related conditions
 - b) Grading plan prepared by an individual licensed to practice land surveying, civil engineering or architecture
 - c) Floor plan
 - d) All exterior elevations
 - e) Site utilities plan showing on-site sanitary sewer, water, storm sewer, water meters, backflow prevention devices, roof drains, etc., and the connections to off-site utilities.
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, shall be confirmed at final inspection, and shall apply to proposed and future development.
9. Additional items identified as not complying with current codes and ordinances which require correction or attention may be identified after reviews are completed. Any item not in conformance with current codes and ordinances must be corrected.

Engineering Department

General

10. Nuisance onsite lighting shall be redirected as requested by the City Engineer within 48 hours of notification.
11. The improvement plans for the project shall include the most recent version of the City's General Notes.
12. Improvements within the City right-of-way require an Encroachment Permit from the Engineering Department.
13. Improvement plans sealed by an engineer shall be submitted to the Engineering Department according to the submittal process.

14. Impact fees shall be paid at time of building permit issuance.

Streets

15. Proposed driveway approaches on Knox Street shall be constructed as indicated on the site plan dated 2-13-2015 in relation to location and width.
16. Driveway approaches shall have a minimum throat length of 35 feet and allow for turnaround for vehicles not able to access site.
17. Access ramps shall be installed at all curb returns per City Standards.
18. All public utilities adjacent to or within site shall be undergrounded, except transformers, which may be mounted on pads.

Water

19. Water service connection shall be constructed to current City standards including installation of water meter located within City right-of-way and a backflow prevention device shall be installed and located within private property.
20. A separate water meter and backflow prevention device will be required for landscape area.

Sewer

21. Sewer service lateral shall be constructed per current City standards.
22. Sewer main connection larger than 4-inch diameter shall require manhole installation.

Storm Drain

23. Storm runoff from this project drains to a storm drain main in Knox Street and ultimately to a City Basin located to the northwest of the project site. The developer shall be required to drain storm runoff to existing facilities in Knox Street per the City's Storm Drain Master Plan or as directed by the City Engineer. Developer shall submit a detailed drainage plan that supports the design of storm drain improvements.

Fire Department

24. The overall allowable building area must be calculated unless the plans show that adequate separation is provided.
25. The plans submitted for building permit must show the allowable area within each building.
26. The address shall be clearly posted and visible from the street.
27. On-site fire hydrant protection is required since the site is completely enclosed.

28. A key box is required for emergency ingress. This includes access through the gated entry. An override switch to access the powered gates may be required.
29. Portable fire extinguishers are required in accordance with the CFC. A minimum of one 2A10BC rated fire extinguisher for each 3,000 square feet of building area. The maximum travel distance to reach a fire extinguisher shall not exceed 75 feet (and may be less depending upon the size of the extinguishers).
30. The design must allow for adequate width for the turning radius of fire apparatus. Please refer to appendix D of the California Fire Code. Plans submitted for the Building Permit must accurately reflect the required turning movements.

Planning Department

Site Data

- Building Area: 101,282 square feet - Master Storage
 - Minimum Parking Requirements: 4 spaces
 - Parking Provided: 4 spaces (includes 1 accessible space)
31. Site Plan Review 2015-29 allows for the development of a mini-storage facility. Any changes in the use of the site will require at a minimum, approval of a new site plan review.
 32. The mini-storage may be open from as early as 7:00 a.m. in the morning to as late as 7:00 p.m. at night, seven days a week. There shall be no after-hours gate access.
 31. Vandalism and graffiti shall be corrected per the Madera Municipal Code.
 32. The property owner, operator and/or manager shall keep the property clear of all trash, rubbish and debris at all times, and disposal of refuse shall be restricted to the dumpster owned by the property owner.
 33. All parking and loading areas shall be marked and striped to City Standards: Perpendicular (90 degree) parking spaces shall measure a minimum of nine feet (9') wide by 19' deep (17' deep with 2' bumper overhang). No compact stalls shall be incorporated into the parking field. Minimum drive aisle/backing/maneuvering space is twenty-six (26') feet for primary drive aisles.
 34. On-site parking shall be provided at all times in conformance with the Municipal Code. Further expansion of the use or additional or accessory uses may require the provision of additional parking spaces in compliance with City Standards prior to establishment of the use. All required parking shall be permanently maintained with all parking spaces to be shown on plans submitted for building permits. Any modifications in the approved parking layout shall require approval by the Planning Department.

HVAC and PG&E Utility Placement Considerations/Screening Requirements

35. Prior to the issuance of building permits, applicant to identify on the site plan the following information for Planning Department review and approval:
 - The location of all natural gas and electrical utility meter locations
 - The location of all HVAC (heating, ventilation or air conditioning) equipment
 - The location of all compressor equipment, and mechanical and electrical equipment

36. Where feasible, electrical/mechanical equipment shall be located in the interior of the proposed new structures within electrical/mechanical service room(s). Utilities (switch boxes, electrical panels and other utility appendages) proposed at the exterior shall be allowed only when screened from the public right-of-way.
37. When HVAC equipment is roof-mounted, all equipment placement shall be completely screened from view and architecturally integrated into the roof using roof wells or continuous building perimeter fascia screening. If ground mounted, all HVAC equipment shall be completely screened by a six foot enclosure constructed so as to match the primary color and material of the structure.
38. Natural gas meter placement shall be screened from public view per Planning Department approval.
39. The applicant shall coordinate the installation of utilities consistent with these conditions of approval with Pacific Gas and Electric Company. The applicant may contact David Vandergriff of PG&E at 2871 Airport Drive, Madera, CA 93637 or via telephone at (559) 675-2234.
40. Roof access ladders shall be located within the interior of the building.
41. Future placement of roof-mounted equipment, which is not part of this site plan approval, may require amendment to this Site Plan Review.

Building Colors, Materials and Lighting Considerations

42. The construction of buildings approved as part of site plan review shall be consistent with submitted elevations and a color and materials board and representative color section rendering of the proposed building to be reviewed and approved by the Planning Manager.
43. Address sign designs shall be approved by the Planning Department prior to issuance of building permits.
44. The specifications and types of exterior lighting fixtures to be installed on the site shall be submitted to and approved by the Planning Department prior to issuance of building permits. All exterior lighting shall be down shielded and directed away from adjoining properties and not interfere with the driving safety of vehicular traffic. Exposed bulbs will not be permitted.
45. All parking lot lights/lighting shall be incorporated into landscaped areas.
46. The developer shall contact the Planning Department when all site lighting is operational. At this time, additional light screening may be required.
47. The trash enclosure shall be constructed of masonry block consistent with City standards with a stucco finish and color to match the primary structure.

Signage

48. Signage shall be in accordance with the City Sign Ordinance, and all signing shall be reviewed and approved by the Planning Department prior to issuance of a separate sign construction permit which may be required by the Building Department.

49. All proposed construction announcement sign uses shall conform to the Municipal Sign Ordinance.

Landscaping

50. Onsite and offsite landscaping and irrigation shall be installed consistent with plans submitted at time of building permit plan check and approved by the Planning Manager and Parks Department prior to issuance of building permits. The landscape and irrigation plan shall be prepared by a licensed landscape architect and shall be consistent with the State of California Model Water Efficiency Landscape Ordinance. Any deviation shall require prior written request and approval. Removal or modification shall be at developer's expense.
51. The landscaping and irrigation plan submitted at time of building permit plan check shall include:
- Landscaped areas shall be developed along all street frontages and within parking fields.
 - Shade trees shall be planted throughout the parking lot, with a minimum of one tree per three parking spaces.
 - Landscaped areas are to be provided with permanent automatic irrigation systems.
 - A detailed planting list for landscaping, with the number, size, spacing (where applicable) and specie of all plantings shall be included as part of the approved plan.
52. 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, and replacing dead or unhealthy vegetation.

(OR)

Motion 2: Move to continue the application for Site Plan Review 2015-29 to the November 10, 2015 Planning Commission meeting for the following reasons: (specify)

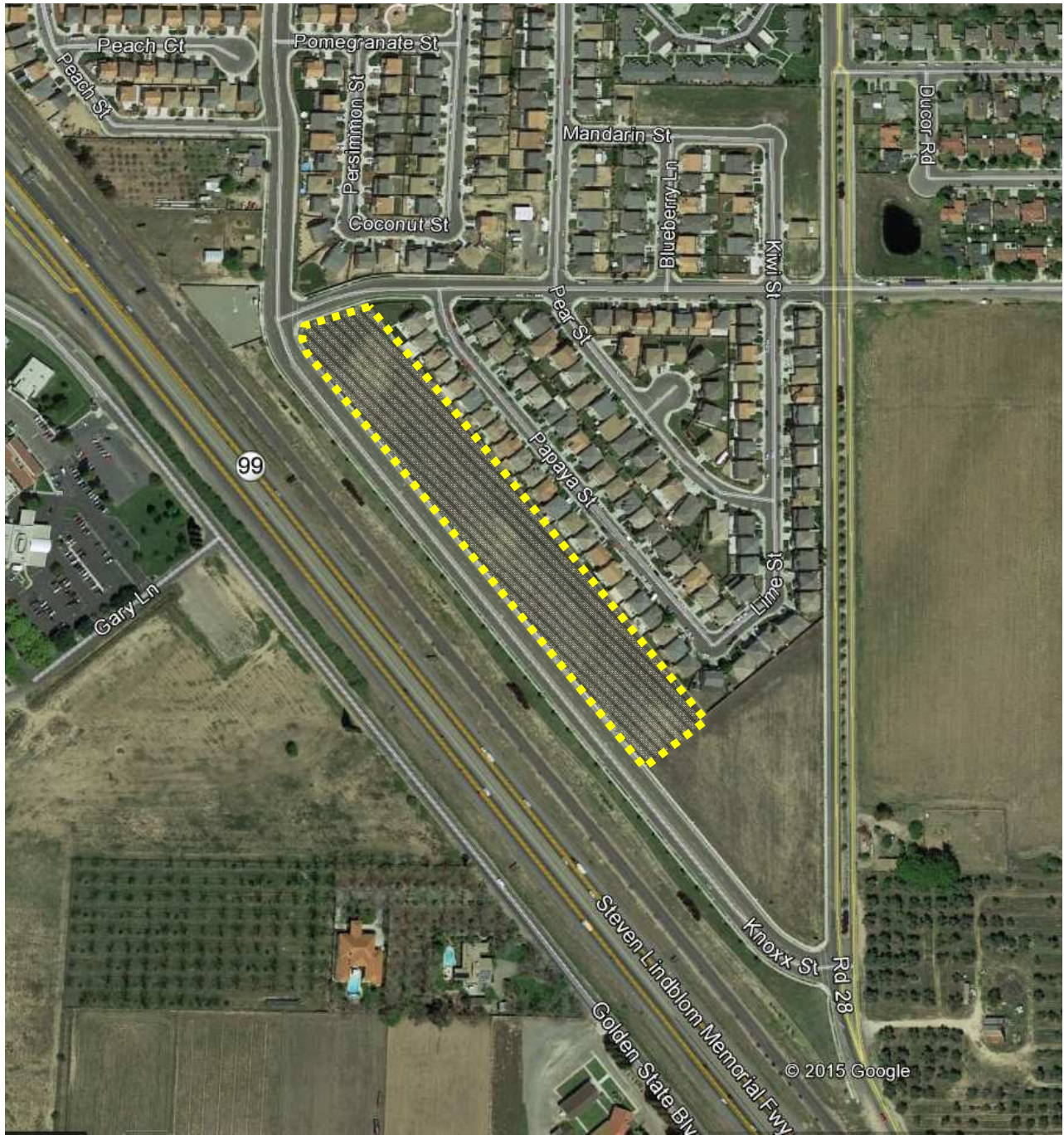
(OR)

Motion 3: Move to deny Site Plan Review 2015-29 based on the following findings: (specify)

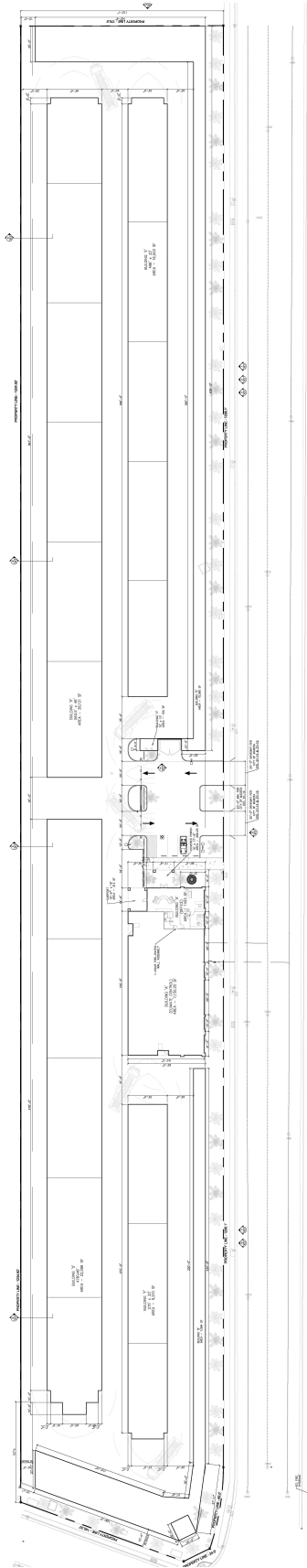
ATTACHMENTS

Aerial Photo
Site Plan
Floor Plan
Elevations

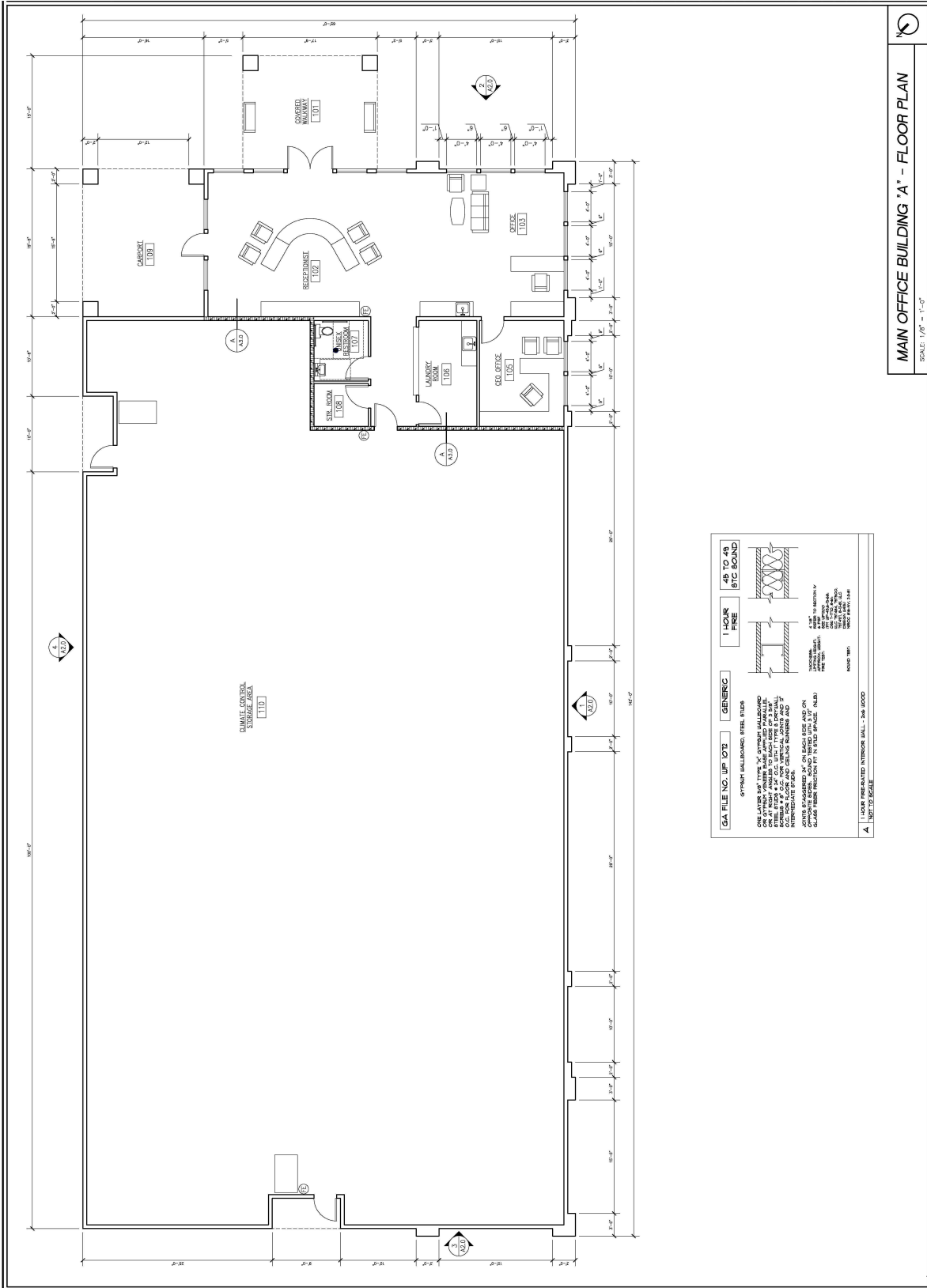
Aerial Image



Site Plan



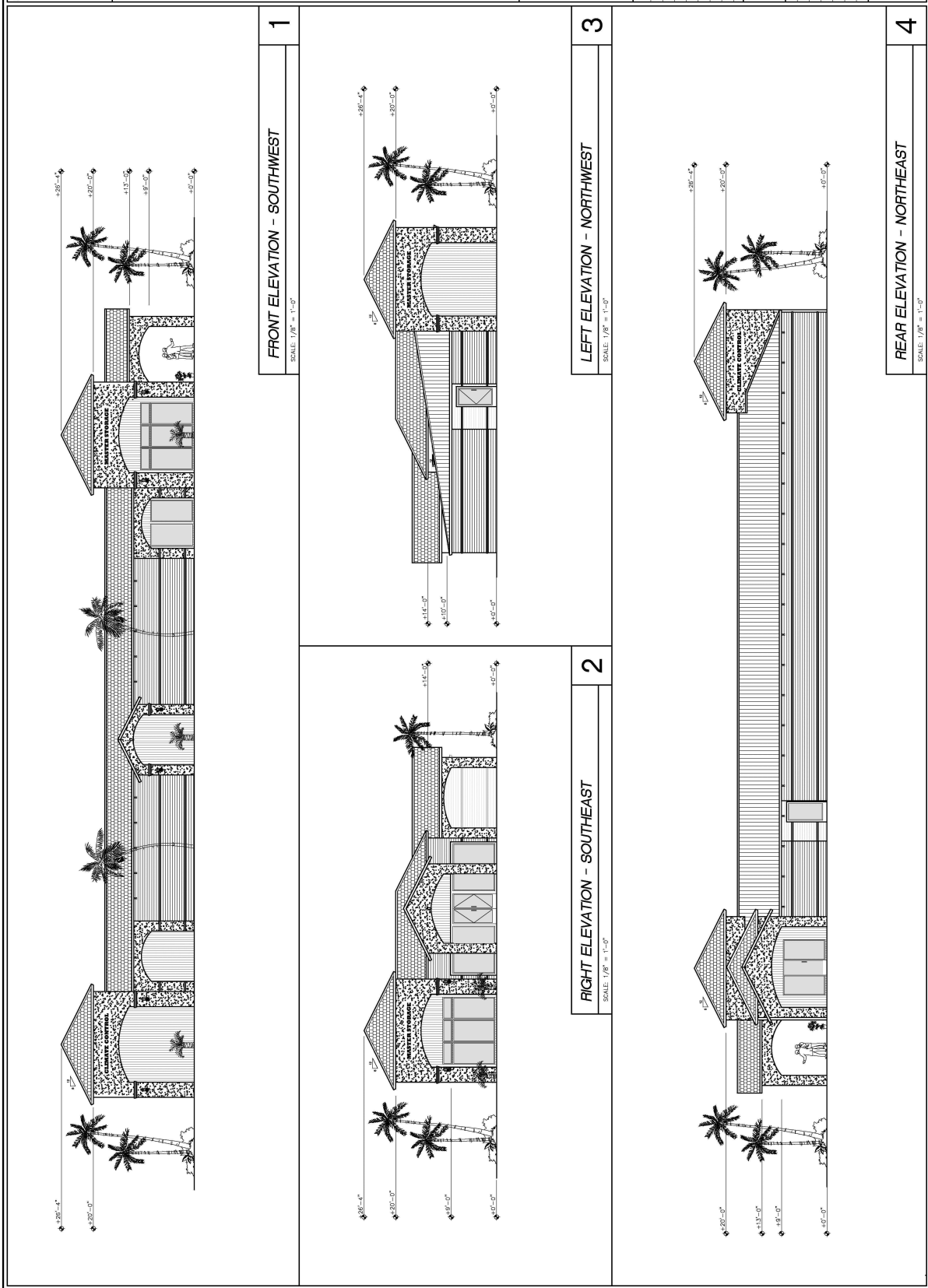
Floor Plan

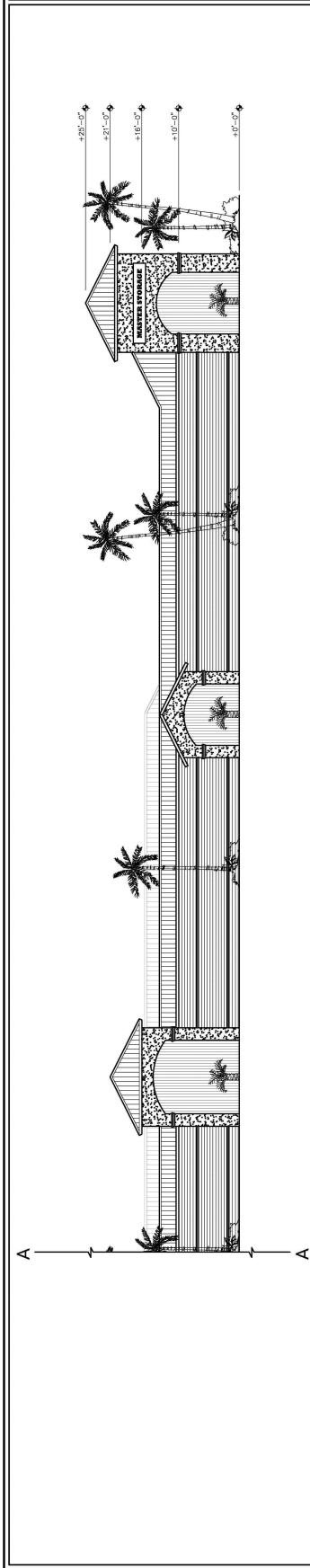


MAIN OFFICE BUILDING 'A' - FLOOR PLAN

SCALE: 1/8" = 1'-0"

Elevations

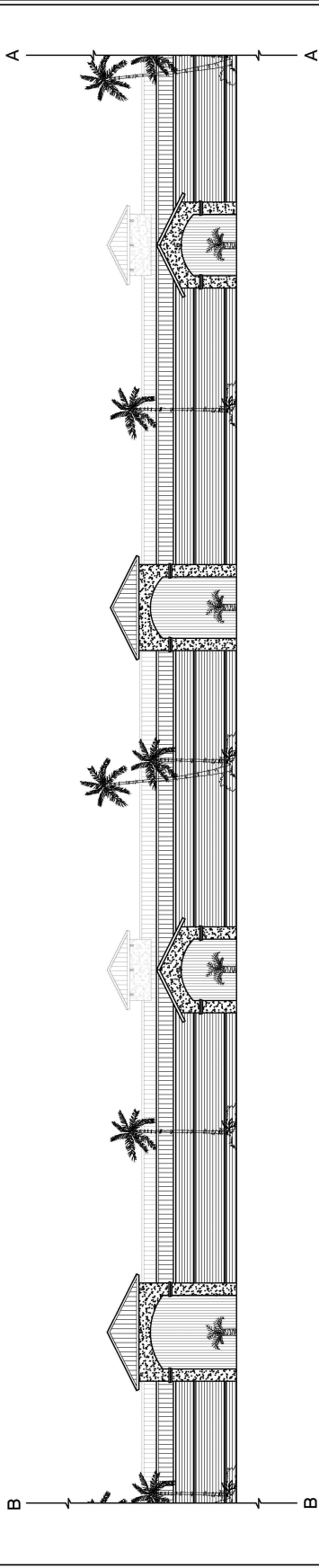




5

SOUTH-WEST ELEVATION - KNOXX STREET VIEW

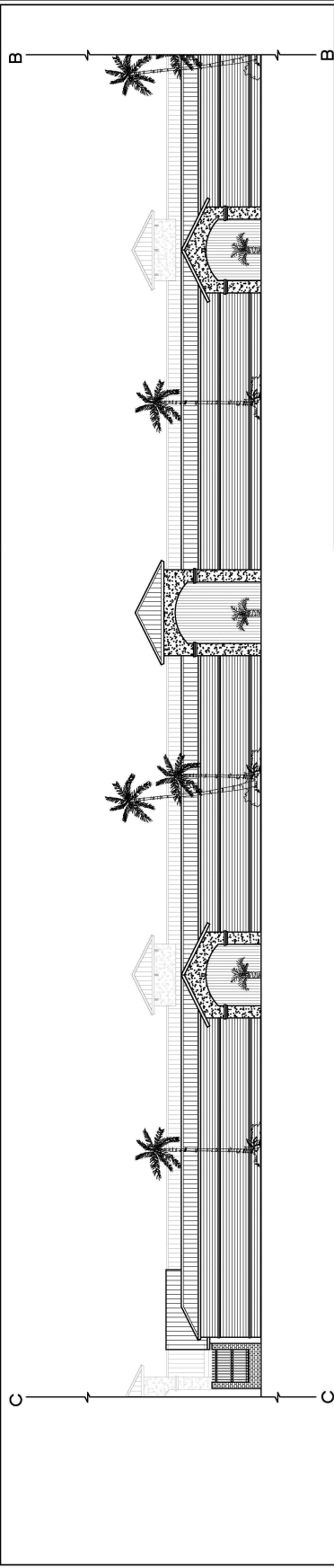
SCALE: 1/8" = 1'-0"



6

SOUTH-WEST ELEVATION - KNOXX STREET VIEW

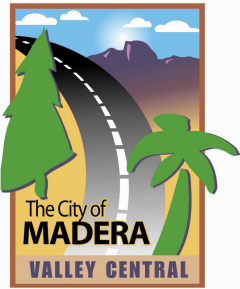
SCALE: 1/8" = 1'-0"



7

SOUTH-WEST ELEVATION - KNOXX STREET VIEW

SCALE: 1/8" = 1'-0"



CITY OF MADERA PLANNING COMMISSION

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

Staff Report: Ranchos Auto Sales CUP 2015-26, SPR 2015-30 & Categorical Exemption Item #3 – October 13, 2015

PROPOSAL: An application for a conditional use permit and site plan review to allow for used auto sales.

APPLICANT:	Joey Ramirez	OWNER:	Don Bonander
ADDRESS:	96 East 6 th Street	APN:	007-152-007
APPLICATION:	CUP 2015-26 & SPR 2015-30	CEQA:	Categorical Exemption

LOCATION: The property is located on the southwest corner of East 6th Street and South E Street.

STREET ACCESS: The site has access to East 6th Street and South E Street.

PARCEL SIZE: Approximately 7,500 square feet

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C1 (Light Commercial)

SITE CHARACTERISTICS: The project site is located in the downtown district of the city. A mixture of commercial activity is located to the north, south, east and west of the project site, with the UPRR tracks located immediately 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 site had been used in the past as part of the operation of a new car dealership. The use is consistent with the purpose and intent of the Zoning Ordinance and can be made compatible with the surrounding uses.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.802 Light Commercial Zones, Uses Permitted

MMC § 10-3.1301 Use Permits

MMC § 10-3.1203 Exemptions from Parking Space Requirements

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.

The City's General Plan indicates that land designated as C (Commercial) is appropriate for development of commercial centers. The City's Zoning Ordinance also allows for a variety of retail and service uses in the C1 (Light Commercial) Zone District, including automotive sales subject to the approval of a conditional use permit by the Planning Commission.

PRIOR ACTION

Conditional Use Permit 2014-24 and Site Plan Review 2014-33, allowing for a hand car wash and automotive detailing business were approved in October of 2014. Conditions of approval were never satisfied. The property owner and previous use permit holder have submitted a letter (attached) extinguishing Conditional Use Permit 2014-24. If approved, CUP 2015-26 will be the only active entitlement on the project site.

ANALYSIS

Background

An automotive detailing business has operated on the property since approximately November, 2012. Application for the required conditional use permit and site plan review for the automotive detailing business was made to resolve code enforcement action on the property. The use permit was approved in October of 2014, but the conditions of approval were not satisfied and the permit has been extinguished by the applicant and property owner. An illegal window tinting operation has also been operating on site.

Business Model

The applicant, who is not associated with the prior uses on the site, wishes to utilize a parking lot and existing 3,500 square foot building to sell used cars. As part of the used auto sales business, cars might also be detailed and hand washed on site in preparation for sale. No automotive repair is proposed. Hours of operation are proposed from 9:00 am until 7:00 pm, seven days per week.

Parking

Motor vehicle sales and auto repair shop square footage requires one (1) parking stall per each 600 square feet in the Downtown Parking District. The existing structure encompasses approximately 3,500 square feet of gross square footage. Although a minimum of six (6) parking stalls are usually required for the proposed use, this site is exempt from off-street parking

requirements. None of the requirements of the parking ordinance are applied to buildings and uses that were in existence on August 1, 1978. This site has historically been used for the sale of automobiles, consistent with the proposed use. In order to ensure business is not conducted within the public right-of-way, it is recommended that the applicant provide two parking stalls on site to be used in conjunction with the test driving of vehicles.

Off-Site Improvements

Conditions of approval require the updating of the existing handicap ramp at the corner of East 6th Street and South E Street to current ADA standards. The reconstruction of damaged sidewalk and an accessible path of travel along the driveway approach on E street complete the ADA improvements.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Though approval of an allowance for automotive detailing is not specifically addressed in the vision or action plans, the overall project does indirectly support **Action 115.2** – *As a component of the General Plan Update, increase retail outlets and promote Shop Madera ...*”

SUMMARY OF RECOMMENDATIONS

The information presented in this report supports conditional approval of the use permit request.

PLANNING COMMISSION ACTION

The Planning Commission will be acting on the Use Permit and minor Site Plan Review to allow for the establishment of a used automotive sales 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 2015-26 and Site Plan Review 2015-30, 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) which includes projects involving negligible or no expansion of uses.
- Automotive sales is consistent with the purposes of the C (Commercial) General Plan land use designation and the C1 (Light Commercial) 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 automotive sales business.
- As conditioned, the automotive sales business 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 days of the date of approval for this use permit.
2. Site Plan Review 2015-30 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 2015-26 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. 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 and/or use permit.
8. 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.

Fire Department

9. Portable fire extinguishers shall be provided. A minimum of one 2A10BC rated fire extinguisher is required for each 3,000 square feet of floor area or fraction thereof. Maximum travel distance to reach a fire extinguisher shall not exceed 75 feet.

10. Heavy automotive repair is not permitted without a complete analysis of the structure and its life safety components. The occupancy classification may be altered in such a case.
11. A key box will be provided for access by emergency services personnel.

Planning Department

12. Conditional Use Permit 2015-26 allows for used auto sales. Detailing and hand washing of cars in preparation for sale on site is allowed.
13. No automotive services such as repairs, servicing, and/or installations are allowed on the project site without the approval of a separate conditional use permit.
14. Unauthorized uses on the site shall be discontinued prior to issuance of business license for auto sales.
15. The hours of operation for the automotive sales business shall be from as early as 8:00 am until as late as 8:00 pm, seven days per week.
16. Two parking stalls shall be developed on site to be used in conjunction with the test driving of vehicles.
17. Vandalism and graffiti shall be corrected per the Madera Municipal Code.
18. The structure shall be rehabilitated to the satisfaction of the Planning Manager prior to issuance of business license for auto sales. This includes the replacement of broken windows and removal and/or replacement of dated signage.
19. The property owner, operator, manager shall keep the property clear of all trash, rubbish and debris at all times.
20. The business shall incorporate water conservation measures, including the use of water saving nozzles and high pressure wands.
21. The applicant is encouraged (but not required) to paint and/or refurbish the structure. If the applicant chooses to paint/refurbish the structure, a color and materials board of the proposed paint colors will be required for approval by the Planning Manager prior to paint application.
22. 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, and replacing dead or unhealthy vegetation with drought tolerant plants.
23. All signage shall be in compliance with the Madera Sign Ordinance (MMC §10-6).

Engineering Department

General

24. Nuisance onsite lighting shall be redirected as requested by the City Engineer within 48 hours of notification.

25. Improvements within the City right-of-way require Encroachment Permit from Engineering Department.
26. 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.

Street

27. Existing handicap access ramp located at the southwest corner of E Street and 6th Street intersection shall be reconstructed to meet current City and ADA standards.
28. Damaged sidewalk along 6th Street shall be reconstructed per current City standards.
29. An accessible path of travel shall be constructed along the existing driveway approach on E Street.
30. The site shall implement a circulation plan as to eliminate vehicles queuing in the City right-of-way.
31. The parking of vehicles in the railroad right of way shall only be allowed for per an agreement with the Union Pacific Railroad.

Water

32. Existing water service connections shall be upgraded to current city standards including water meters located within city right-of-way and backflow prevention device located within private property.

Sewer

33. Existing sewer connection shall be upgraded to meet current City standards.

(OR)

Motion 2: Move to continue the application for Conditional Use Permit 2015-26 and Site Plan Review 2015-30 to the November 10, 2015 Planning Commission meeting for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for Conditional Use Permit 2015-26 and Site Plan Review 2015-30, based on and subject to the following findings: (specify)

ATTACHMENTS

- Aerial Photo
- Letter Extinguishing CUP 2014-24

Aerial Photo






Extinguish CUP
1 message

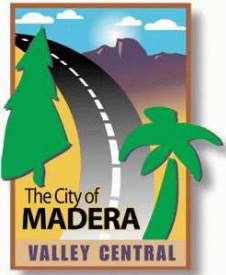
Chris Boyle <cboyle@cityofmadera.com>
To: "ranchosautosales@gmail.com" <ranchosautosales@gmail.com>

Fri, Oct 2, 2015 at 2:00 PM

I, Tony Ortega, benefactor of Conditional Use Permit 2014-24, which allows for an auto detailing business at 96 East 6th Street, and I, Don Bonander, owner of the 96 East 6th Street property, voluntarily request to permanently extinguish the Conditional Use Permit 2014-24, effective immediately.

Signed  Tony Ortega Date 10-2-15

Signed  Don Bonander Date 10/2/15



CITY OF MADERA PLANNING COMMISSION

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

Staff Report: ABN 2015-01 – 11th Street Summary Vacation General Plan Conformity & Environmental Determination for Vacation of a Street Segment Item #4 – October 13, 2015

PROPOSAL: General Plan Conformity and Environmental Determination for a proposed summary vacation of street right-of-way for a portion of 11th Street located between the South G Street alignment and the State Route 99 right-of-way.

APPLICANT:	Ajit Gill & Jordan Lee	OWNERS:	Ajit Gill & Jordan Lee
ADDRESS:	211 Madera Avenue & 700 South G Street	APN:	011-071-007 & 011-101-001
APPLICATIONS:	ABN 2015-01	CEQA:	Categorical Exemption

LOCATION: The 80 foot wide by 150 foot long stub segment of 11th Street proposed for summary vacation begins at its intersection with South G Street and terminates at the State Route 99 corridor.

STREET ACCESS: Access to the stub street is from South G Street and an alley segment that is located immediately east of the State Route 99 corridor.

STREET SEGMENT SIZE: Approximately 80 feet wide by 150 feet long (12,000 square feet).

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: Adjacent properties are zoned C1 (Light Commercial)

SITE CHARACTERISTICS: The existing street segment currently separates two commercial parcels, one fronting onto Madera Avenue and the other fronting onto South G Street.

ENVIRONMENTAL REVIEW: This project is categorically exempt under §15305 (Minor Alterations in Land Use Limitations) of CEQA Guidelines.

SUMMARY & RECOMMENDATION: The existing street segment does not provide meaningful benefit or service to the City. The street segment has not been maintained for an extended period of time. The summary vacation of this street segment is in conformity with the City's General Plan and would not create any significant environmental impacts and has been determined exempt from CEQA.

APPLICABLE CODES AND PROCEDURES

Section 65402 of the Government Code; and
Section 8300 et. Seq. of the Streets and Highway Code.

The proposed summary vacation of the street right-of-way requires that the Commission do two things:

- ◆ First, is to determine if the summary vacation is in conformity with the General Plan.
- ◆ Second, is to affirm the environmental determination.

PRIOR ACTION: None

ANALYSIS

The proposed summary vacation would eliminate the street “stub” segment between two commercial parcels located at 211 Madera Avenue and 700 South G Street. 211 Madera Avenue is developed as a Valero gas station and convenience store. 700 South G Street is currently vacant, once serving as a used car lot and recycling center.

The street segment is not critical to the City’s circulation system and does not support traffic to any degree. This 150 foot long “stub” street segment runs from 11th Street’s intersection with South G Street to a dead end at the State Route 99 highway right-of-way. An alley segment intersects with the stub street and continues south along the freeway corridor. No properties abutting to the alley take access or utilize the alley segment.

Although commercial driveways take access to both sides of the stub street, these right-of-way encroachments are not pivotal to the adjoining properties because other driveways providing more logical points of access to the affected properties are in place. Trash service does not have to utilize the street segment and there are no utility improvements located in the street.

General Plan Conformity

While procedurally, the Commission is required to consider whether the summary vacation is in conformity with the General Plan, there is relatively little nexus between the proposed action and the City’s General Plan goals and policies. There is not a General Plan Policy that requires or prefers the retention of unnecessary stub street sections. In this case, the street section is being abandoned in order to provide for better stewardship and utilization of the land. Hence, the proposed action of abandoning the stub street right-of-way can be determined to be consistent with the General Plan.

CEQA

An exemption from the Environmental Quality Act under §15305 (Minor Alterations in Land Use Limitations) is proposed for this project, since the proposed summary vacation of the street segment is consistent with City’s General Plan. The action is only to facilitate consolidation of the parcels and there is no evidence that the summary vacation will have any effect on the environment.

SUMMARY OF RECOMMENDATIONS

The proposed summary vacation is in conformity with the City’s General Plan and is exempt from the California Environmental Quality Act under §15305 (Minor Alterations in Land Use Limitations).

PLANNING COMMISSION ACTION

The Commission will be taking action regarding the proposed summary vacation of a segment of street right-of-way.

Motion 1: Move to adopt a resolution adopting a report to the City Council making a determination of conformity with the General Plan for summary vacation of an approximately 80 foot wide by 150 foot long segment of street right-of-way; and affirming the determination that the project is exempt from the California Environmental Quality Act under §15305 (Minor Alterations in Land Use Limitations).

Findings

- The summary vacation of an approximately 80 foot wide by 150 foot long segment of street right-of-way is categorically exempt under §15305 (Minor Alterations in Land Use Limitations), of the California Environmental Quality Act (CEQA) which allows for minor alterations in land not involving the creation of a new parcel.
- The summary vacation of an approximately 80 foot wide by 150 foot long segment of street right-of-way is consistent with the purpose and intent of the General Plan and the C (Commercial) General Plan land use designation.

(OR)

Motion 2: Move to continue the application for Abandonment 2015-01 to the November 10, 2015 Planning Commission meeting for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for Abandonment 2015-01, based on and subject to the following reasons: (specify)

ATTACHMENTS

Arial Photo
Draft Resolution

Aerial Image



RESOLUTION NO. _____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA MAKING A REPORT TO THE CITY COUNCIL OF THE CITY OF MADERA FINDING THAT THE SUMMARY VACATION OF A 150 FOOT SEGMENT OF THE 11TH STREET RIGHT-OF-WAY LOCATED BETWEEN SOUTH G STREET AND THE STATE ROUTE 99 CORRIDOR IS IN CONFORMITY WITH THE CITY'S GENERAL PLAN AND THAT A CATEGORICAL EXEMPTION IS THE APPROPRIATE ENVIRONMENTAL DETERMINATION.

WHEREAS, It has been proposed that an approximately 80 foot wide by 150 foot long portion of the 11th Street right-of-way located between South G Street and the State Route 99 corridor be vacated pursuant to the California Streets and Highway code §8300 et.seq.; and

WHEREAS, The City of Madera Planning Commission at its regularly scheduled meeting of October 13, 2015 has considered whether the proposed summary vacation of the street segment is in conformity with City of Madera's General Plan; and

WHEREAS, the Commission also considered and does affirm that the proposed summary vacation would not pose any significant environmental impacts and is appropriately determined to be categorically exempt under §15305 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines; and

WHEREAS, the proposed summary vacation of the street segment would not be in conflict with the goals and policies of the General Plan.

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. Based upon the testimony and information presented at the public meeting, and all evidence in the whole record pertaining to this matter, the Commission does hereby report to the City Council that it finds that the proposed summary vacation of the street segment is in conformity with the City of Madera's General Plan.
3. The project has been determined categorically exempt under §15305 of the CEQA Guidelines.

4. This resolution is effective immediately.

* * * * *

Passed and adopted by the Planning Commission of the City of Madera this 13th day of October, 2015, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Kenneth Hutchings, Chairperson
City Planning Commission

Attest:

Christopher Boyle
Planning Manager