

**CITY OF MADERA PLANNING COMMISSION
REGULAR MEETING
January 10, 2017**

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

ROLL CALL

PRESENT: Commissioner Kenneth Hutchings (Chairperson)
Commissioner Robert Gran Jr.
Commissioner Bruce Norton
Commissioner Jeff DalCerro
Commissioner Pamela Tyler
Commissioner Richard Broadhead

ABSENT: Jim DaSilva (Vice Chairperson)

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

PLEDGE: Commissioner DalCerro led the Pledge of Allegiance.

PUBLIC COMMENT: None

MINUTES: November 15, 2016 and December 13, 2016

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

CONSENT ITEMS: None

NON-PUBLIC HEARING ITEMS:

NP1. Election of Chairperson and Vice-Chairperson for 2017.

Commissioner Norton made a move to nominate Kenneth Hutchings for Chairperson, seconded by Commissioner Tyler. The motion was carried unanimously.

Commissioner Norton made a move to nominate Robert Gran Jr. for Vice Chair, seconded by Commissioner Tyler. The motion was carried unanimously.

PUBLIC HEARING ITEMS

1. PPL 2016-02 – Riverside Villas Precise Plan

A noticed public hearing to consider a precise plan to allow for a change in home plans approved for construction on the twenty-two (22) undeveloped lots within the 27 lot

Commissioner Gran stated that according to the elevations provided, that is correct.

Mr. Upton stated he heard that this would be a section eight subdivision.

The response could not be heard on the audio.

Mr. Upton also wanted to mention that the water in the area where the ponding basin was is puddled up so the draining is not working properly. Also, there is a large homeless camp behind those addresses. That may affect home values.

Commissioner Gran asked if it was on the Riverwalk side.

Mr. Upton said it was before the water started flowing but now it is on the south side.

Commissioner Gran said that he could see Mr. Taubert taking notes about that. He asked Mr. Upton if he had any objections to the project.

Mr. Upton said there were none that he could think of.

The Commission thanked Mr. Upton and asked if there was anybody else that would like to step forward on this item. There were none.

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

2. GPA 2016-03, REZ 2016-03, TSM 2016-03, PPL 2016-01 and Negative Declaration

A noticed public hearing to consider a General Plan Amendment, Rezoning, Tentative Subdivision Map and Precise Plan to allow for the development of the Riverwalk subdivision. The General Plan Amendment will change the General Plan land use designation on the western portion of the project from HD (High Density Residential) to LD (Low Density Residential) land use designation. The Rezone will change the zoning for the project site from the R3 (High Density Residential) to the PD-6000 (Planned Development) Zone District. The Tentative Subdivision Map will provide for the subdivision of the project site to include twelve residential parcels and three separate out-lots. The Precise Plan will provide for the development of five new home plans with supporting development standards for the project. The subdivision is generally located south of the Fresno River and north of East Central Avenue, between North A Street and North C Street, which are now connected by Riverwalk Drive. A Negative Declaration will also be considered by the Planning Commission.

Mr. Boyle summarized the project.

Jim Taubert of the Successor Housing Agency stepped to the podium. The price point will be in the 150 to 175,000 range. As with the others, they are affordable housing but not low income housing. If anyone has been to the sight, every effort was made to save the tree. He is in agreement with everything.

Ubaldo Garcia of 156 Asilomar Dr. stepped to the podium. This subdivision took every trick in the General Plan to stay within the minimum requirements.

Mr. DalCerro asked if there were special licenses required for the temporary tattooing also.

Mr. Boyle said he believes there is and it would also require Health Department approval.

Commissioner Hutchings thanked Mr. Boyle and opened the public hearing.

Monica Morgan of 17366 Crescent Drive in Madera stepped to the podium. She said she has spent the last two years in school to get the education and certification necessary for this. She has been in the building for two years and paid her rent on time but never opened the business because she immediately decided to expand the use. She feels that the trash dumpster should not be a problem letting her expand. There should be no penalty and she agrees it would be nice to have the dumpsters elsewhere instead of at her back door. If she could be able to operate the business and earn money to pay for this she would be willing to do it so that the owner doesn't have to.

Commissioner Tyler asked about the condition saying she would be open from 8-9, seven days per week but then another item says they will be open until 10 pm.

Mrs. Morgan said this is because she will be doing services for bridal parties and would like the option to be open later if needed. She does not plan on being open late every night, just as needed.

Commissioner Gran said the ADA doesn't sound like an issue. The trash is an issue, but it really is the landlords issue and he should be responsible for paying for it. He thinks they should give the landlord some time, but it does need to be fixed.

Mrs. Morgan said this wasn't required because of anyone else, only because she wanted to expand her use so she doesn't mind paying for it but needs a year or two to pay for it.

Commissioner Gran said that if anyone was going into the building that needed a CUP, they would have been required the same.

Mrs. Morgan agreed but said she just needs more time to pay for it.

Commissioner DalCerro asked what kind of heat can be put on the landlord.

Commissioner Gran said unfortunately she's already on the hook for it but it's definitely the landlord's responsibility.

Commissioner DalCerro asked if staff could suggest something to get this moving.

Mr. Boyle asked what type of time frame the Commission would be entertaining.

Commissioner Gran said he is thinking 18-24 months would be more than enough time with the amount of rent she is paying the landlord.

Nobody else came forward and the item was returned to the Commission for further discussion and action.

Commissioner Norton made a move to accept Motion 1, seconded by Commissioner DalCerro.

5. VAR 2016-02 – Taco Bell Signage

A noticed public hearing to consider a sign variance to allow for additional signage in conjunction with the development of a new Taco Bell restaurant to be located southwest of the intersection of East Yosemite and Tozer Street (1420 East Yosemite Avenue) in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 008-142-071). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15311 (Accessory Structures).

Christopher Boyle, Planning Manager presented the item.

Commissioner Gran said it's obvious that the Taco Bell emblem and the curved line are signage but the rest of it looks like an architectural enhancement but not necessarily signage. Taco Bell's color may change to red in three years and they should be able to light it up in red. It's cosmetic architectural enhancement that allows people to recognize the building.

Commissioner DalCerro noted that when this was first before the Commission several of them had thought it was very attractive.

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

Phillip Moss of 912 Santa Fe Ave. in Albany, Ca stepped to the podium. He is the Architect for the project and said he doesn't have a problem with this process. He noted the swish emblem is gone so it will be just the bell, the letters and the slats. He agrees with staff, they have done a thorough job discussing this and he agrees with the findings 100%. He understands why staff took this position and he supported staff in coming to this process.

Commissioner Hutchings asked if anyone else would like to step forward regarding this item.

Seeing none, the item was returned to the Commission for further action.

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

6. VAR 2016-03 – KFC Parking Variance

A noticed public hearing to consider a parking variance as part of the remodeling of a KFC drive-thru restaurant located on the west side of Country Club Drive, approximately 200 feet north of its intersection with Sharon Boulevard (1144 Country Club Drive) in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 003-194-002). The project

Mr. Boyle added that he wanted to thank Commissioner DalCerro for his service with the Planning Commission, this is his last meeting.

COMMISSIONER REPORTS:

Commissioner Hutchings let everyone know that it's time to file their form 700's. Those are turned in to Sonia.

The meeting adjourned at 7:36 pm.



Planning Commission Chairperson



Brandi Garcia, Recording Secretary