

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

**CITY HALL – COUNCIL CHAMBERS
TUESDAY
March 10, 2020
6:00 pm**

CALL TO ORDER

ROLL CALL

Commissioner Robert Gran, Jr. (Chairperson)
Commissioner Israel Cortes (Vice Chairperson)
Commissioner Richard Broadhead
Commissioner Ryan Cerioni
Commissioner Ramon Lopez-Maciel
Commissioner Pamela Tyler
Commissioner Alex Salazar

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, but are not required, to identify themselves and state the subject of their comments. If the subject is an item on the Agenda, the Chairperson has the option of asking the speaker to hold the comment until the hearing is opened. 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

NON-PUBLIC HEARING ITEMS: None

CONSENT ITEMS:

1. **GPC 2020-01 – Sale of Freedom Industrial Park Property**
Consideration of adoption of a resolution of the Planning Commission of the City of Madera finding that the City's sale of property located at the northwest corner of South Pine Street and Independence Drive (APN's 009-331-002 & 003) is in conformance with the General Plan.

PUBLIC HEARING ITEMS:

1. GPA 2019-03, REZ 2019-06, TSM 2019-03 & TPM 2019-03 – Pecan Square

A noticed public hearing for an application requesting a general plan amendment, rezone, tentative subdivision map and tentative parcel map proposing the subdivision of an approximately 79-acre parcel into two parcels, a 22.5-acre parcel and a 56.5-acre parcel. The 22.5-acre parcel will be subdivided into 110 lots for future single-family residential development. The purpose of the General Plan Amendment is to make subsequent parcels consist with planned future development. The project proposal entails a reconfiguration of land use areas designated for Commercial, High Density and Medium Density land uses. Subsequent rezoning will be consistent with the General Plan land use. The project site is located on the southwest corner of West Pecan Avenue and Madera Avenue/HWY 145. A Mitigated Negative Declaration will also be considered by the Planning Commission. (APN: 012-480-005).

Staff is requesting this item be continued to the April 14th, 2020 Planning Commission meeting.

2. GPA 2020-01, SPR 2020-01 & VAR 2020-01 – Sunset Apartments

A noticed public hearing for an application to consider a general plan amendment, a site plan review and a variance. The applicant is proposing the partial demolition and redesign of the former Gold's Gym into a 20-unit apartment complex encompasses approximately 40,000 sq. ft. in the R3 (High Density Residential) Zone District. The applicant is request consideration of a variance from the required parking stalls. The amended planned land use request is from a Commercial land use to a High-Density land use designation, to allow for consistency between the current R3 (High Density Residential) zoning. The project location is on the northeast corner of Sunset Avenue and Orchard Avenue at 1803 Sunset Avenue (APN: 006-182-007). A Negative Declaration will also be considered by the Planning Commission.

Staff is requesting this item be continued to the May 12th, 2020 Planning Commission meeting.

3. Development Agreement Annual Review – Madera Travel Center

An annual development agreement approved in conjunction with the Madera Travel Center project (Ordinance 938) for the period running through December 21, 2018. This annual review has been scheduled pursuant to Section 10-3.1715 of the Madera Municipal Code, which required that the Planning Commission determine whether the principal party to the agreement, Love's Travel Center, has complied in good faith with the terms of the development agreement (APNs: 013-240-004, 005, 006 & 007).

Staff is requesting this item be continued to the April 14th, 2020 Planning Commission meeting.

4. CUP 2019-26 thru 29 & SPR 2019-29 – Himat Investments

A noticed public hearing to consider multiple conditional use permits and a site plan review to allow for the development of an approximately 15,100 sq. ft. commercial plaza to include: 3 standalone retail/office buildings, a convenience store proposing the sale of off-site alcohol and tobacco sales in conjunction with 12 fuel stations, and a drive-thru car wash located on property on the southwest corner of the East Olive Avenue and Tozer Road in the CN (Neighborhood Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 011-330-016). A Mitigated Negative Declaration will also be considered by the Planning Commission.

Staff is requesting this item be continued to a later date determined by the Planning Commission.

ADMINISTRATIVE REPORTS:

1. Discussion regarding a potential change of the Planning Commission regular monthly meeting night.

COMMISSIONER REPORTS:

ADJOURNMENT:

The next regular meeting will be held on April 14, 2020.

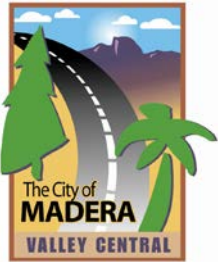
In compliance with the Americans with Disabilities Act, the meeting room is accessible to the physically disabled and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices or translators needed to assist participation in the public meeting should be made at least seventy-two (72) hours before the meeting. If you need special assistance to participate in a City meeting or other services offered by this City, please contact the Planning Department office at (559) 661-5430. Those who are hearing impaired, may call 711 or 1-800-735-2929 for TTY Relay Services. Any and all persons interested in this matter may provide comments.

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.

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.

If you have any questions or comments regarding this hearing notice, you may call the Planning Department at (559) 661-5430. Si usted tiene preguntas, comentarios o necesita ayuda con interpretación, favor de llamar el Departamento de Planeamiento por lo menos 72 horas antes de esta junta (559) 661-5430.



CITY OF MADERA PLANNING COMMISSION

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

General Plan Conformity 2020-01 Sale of Freedom Industrial Park Properties Item #C1 – March 10, 2020

PROJECT: Finding of General Plan Conformity for the Potential Sale of two properties.

APPLICANT: City of Madera

PROPERTY OWNER: City of Madera

ADDRESS: None assigned. The subject properties are vacant land.

PARCEL NUMBER(S): 009-331-002 and 003

LOCATION: The subject properties are located at the northwest corner of the intersection of South Pine Street and Independence Drive.

ZONING DISTRICT: I (Industrial)

GENERAL PLAN DESIGNATION: I (Industrial)

SUMMARY:

The City is in the process of negotiating the sale of real property. California Government Code Section 65402 requires the acquisition of real property be submitted to and reported upon by the City's planning agency (Planning Commission) as to conformity with the adopted General Plan. The City is requesting a determination of General Plan conformity for the proposed sale of property located at the northwest corner of the intersection of South Pine Street and Independence Drive (APNs 009-331-002 and 003).

The Planning Commission's determination of General Plan conformity will be forwarded to the City Council for its consideration as part of the property sale.

By this action the Planning Commission is solely making a conformity determination with the General Plan. It is not making a determination on whether the City should or should not enter into the disposition transaction.

ENVIRONMENTAL DETERMINATION: This project qualifies as exempt under §15312 (Surplus Government Property Sales) of CEQA Guidelines, "which consists of sales of surplus government property" that do "not have significant value for wildlife habitat or other environmental purposes" and "the use of the property and adjacent property has not changed since the time of purchase by the public agency."

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution finding that the sale of property located at northwest corner of the intersection of South Pine Street and Independence Drive is in conformity with the General Plan.

PLANNING COMMISSION ACTION:

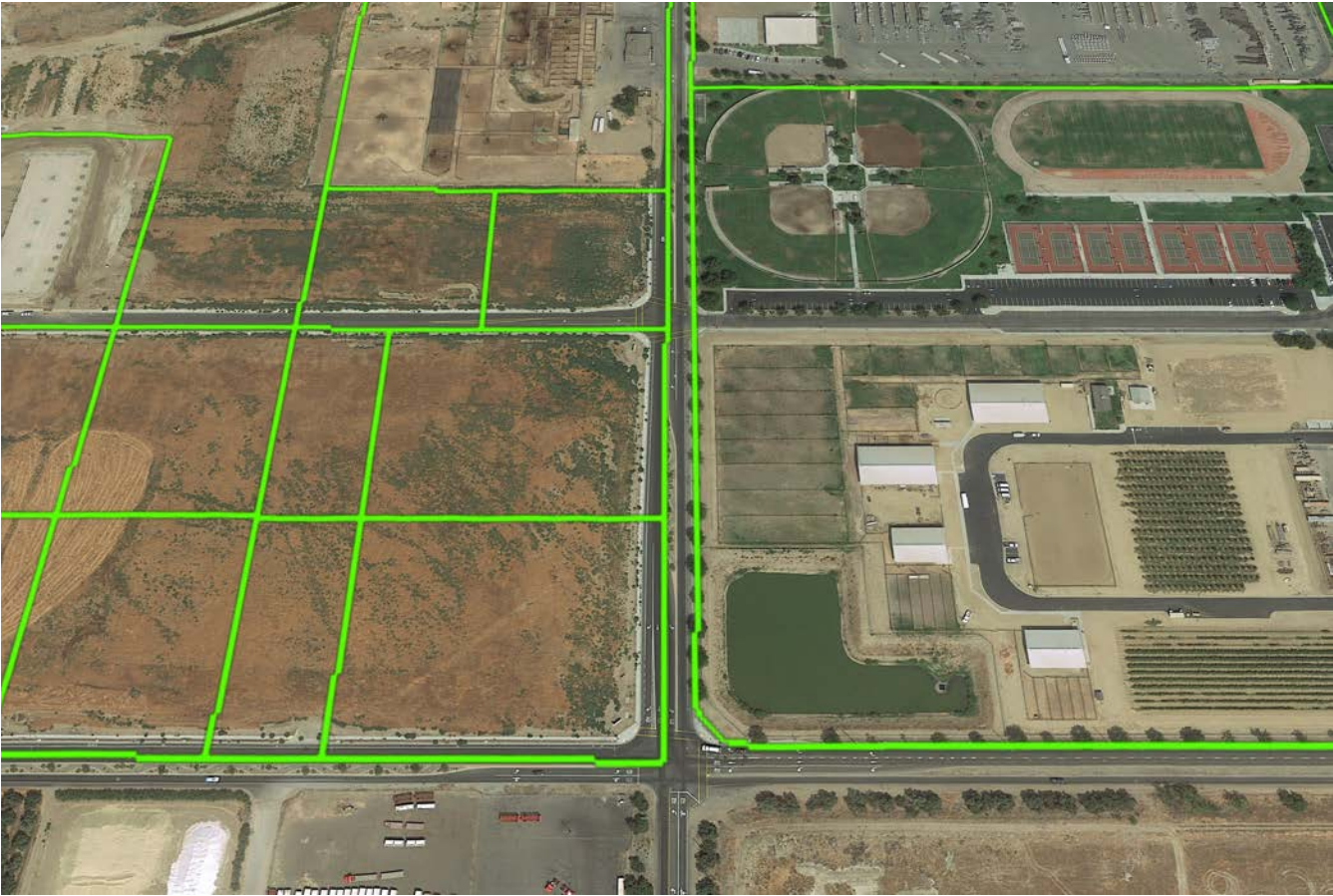
The Planning Commission will be acting on this matter in the form of a resolution.

Motion 1: Move adopt a Resolution finding that the sale of two properties located at northwest corner of the intersection of South Pine Street and Independence Drive is in conformity with the General Plan.

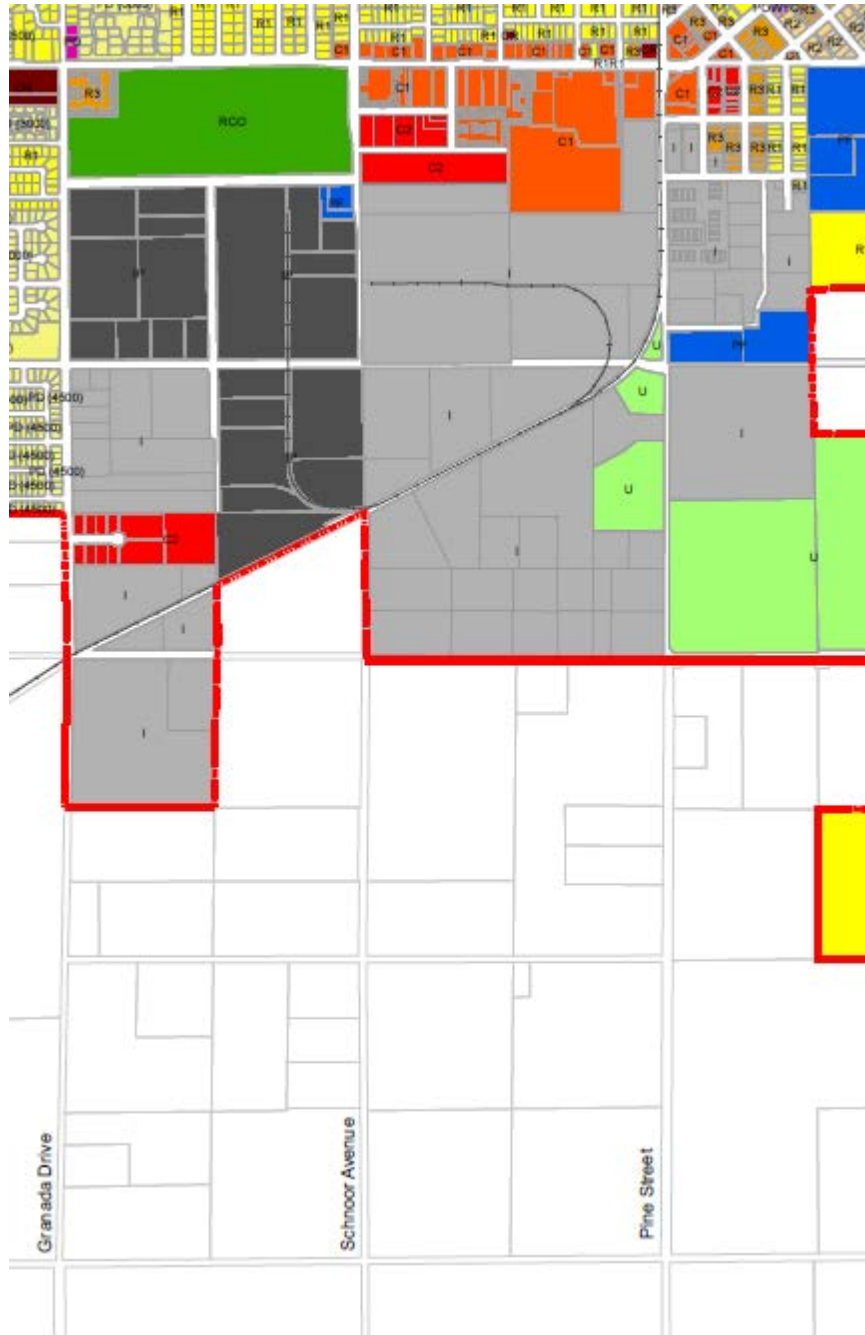
ATTACHMENTS

1. Aerial Imagery
2. Zoning Map
3. General Plan Map
4. Resolution

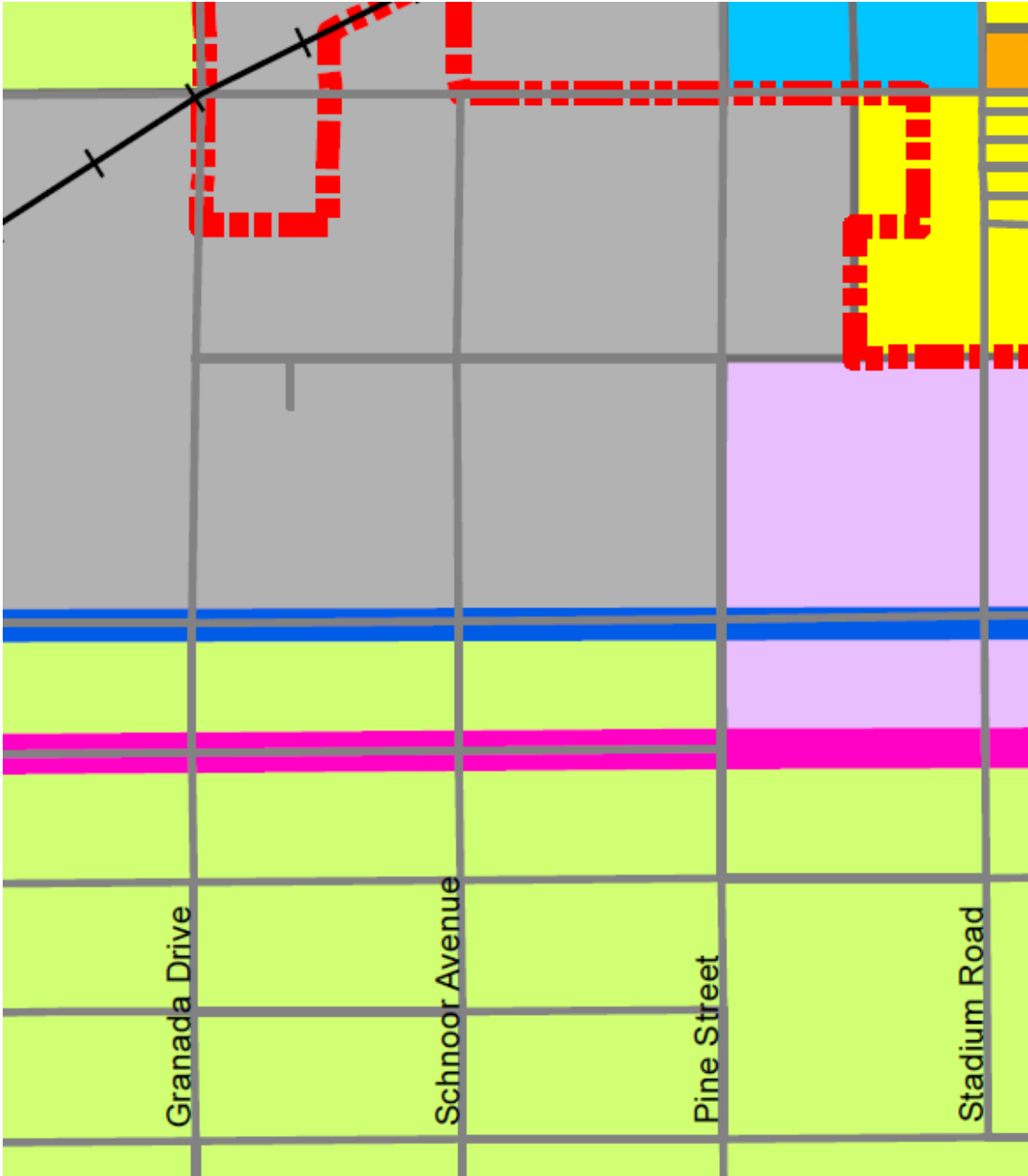
Attachment 1: Aerial Imagery



Attachment 2: Zoning Map



General Plan Map



RESOLUTION NO. 1849

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA FINDING THAT THE CITY'S SALE OF PROPERTY LOCATED AT THEN NORTHWEST CORNER OF THE INTERSECTION OF SOUTH PINE STREET AND INDEPEDENCE DRIVE (APNS: 009-331-002 AND 003) IS IN CONFORMITY WITH THE GENERAL PLAN

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

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

WHEREAS, Section 65402 of the California Government Code requires that the City Planning Commission review and report on proposed acquisitions and dispositions (sales) of property for conformity with the General Plan; and

WHEREAS, the City of Madera (City) is requesting a General Plan Conformity review for a proposed sale of two properties located at southwest corner of the intersection of South Pine Street and Independence Drive (APN 009-331-002 and 003); and

WHEREAS, the Planning Commission met on March 10, 2020, and completed its review of the staff report and documents submitted for the requested review, evaluated the information, and considered testimony received as a part of the public comment process.

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

1. The above recitals are true and correct.
2. The foregoing recitals are incorporated herein by reference.
3. The Planning Commission hereby determines that the City's proposed sale of APN 009-331-002 and 003 is in conformity with the City's General Plan.
4. This resolution is effective immediately.

* * * * *

Passed and adopted by the Planning Commission of the City of Madera this 10th day of March 2020, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Israel Cortes
Planning Commission Chairperson

Attest:

Darrell Unruh
Interim Planning Manager

**GPA 2019-03, REZ 2019-06, TSM 2019-03 & TPM 2019-03
Pecan Square**

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[Return to Agenda](#)

**Madera Travel Center
Development Agreement Annual Review**

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Himat Investments**

Staff is requesting this item be continued to a later date, determined by the Planning Commission.