



REGULAR MEETING OF THE MADERA PLANNING COMMISSION

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

Tuesday, November 12, 2024
6:00 p.m.

Council Chambers
City Hall

The Council Chambers will be open to the public. This meeting will also be available for public viewing and participation through Zoom. Members of the public may comment on agenda items at the meeting or remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 89756819137# followed by *9 on your phone when prompted to signal you would like to speak, or by computer at <https://www.zoom.us/j/89756819137>. Comments will also be accepted via email at planningcommissionpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

CALL TO ORDER:

ROLL CALL:

Chairperson Robert Gran Jr.
Vice Chair Ramon Lopez-Maciel
Commissioner Rohi Zacharia
Commissioner Khubaib Sheikh
Commissioner Balwinder Singh
Commissioner Saim Mohammad
Commissioner Jose Eduardo Chavez

INTRODUCTION OF STAFF:

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES:

PUBLIC COMMENT:

The first 15 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 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.

PUBLIC HEARINGS:

1. OTA 2024-02 – Ordinance Text Amendment (Title X: Planning and Zoning of the City Municipal Code)

STAFF REQUESTS THIS ITEM BE CONTINUED TO FUTURE DATE AND TIME CERTAIN.

Subject: Consideration of an update to Title X: Planning and Zoning of the City Municipal Code (CMC). The proposed update includes amendments and additions to the definitions, modifications to the allowed uses within the City’s zone districts, as well as revisions to the application review and approval procedures to implement the City’s Housing Element of the General Plan and to comply with recent State requirements.

Recommendation:

Conduct a public hearing and adopt:

- a. A Resolution of the City of Madera Planning Commission recommending the City Council adopt an Ordinance determining the project is exempt pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines and forwarding findings and recommendations to the City Council for consideration and action.

2. CUP 2022-16 MOD & SPR 2021-30 MOD – Super Auto Smog (Robert Smith)

Subject: Consideration of an application for a Conditional Use Permit (2022-16 MOD) and Site plan Review (2021-30 MOD) proposing the development of a 3,244 square-foot (sf) building and requesting authorization for use as a smog test shop and for limited auto repair services at 409 S. Gateway Dr. The property is in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation.

Recommendation:

Conduct a public hearing and adopt:

- a. A Resolution of the Planning Commission of the City of Madera determining the project is Categorically Exempt pursuant to Section 15332 (In-Fill Development) of the California Environmental Quality Act (CEQA) Guidelines and approving the modification to Conditional Use Permit 2022-16 MOD and Site Plan Review 2021-30 MOD, subject to the findings and conditions of approval.

3. OTA 2024-03 – Amendment to Zoning Regulations (Robert Smith)

Subject: Consideration of a Resolution of Intent to initiate the procedure to amend Title X: Planning and Zoning of the City Municipal Code (CMC). The proposed update includes amendments to the Zoning Regulations of the City Municipal Code to amend provisions relating to the lapse and termination of approvals for Site plan Reviews, Use Permits and Variances.

Recommendation:

Conduct a public hearing and adopt:

- a. A Resolution of Intent of the City of Madera Planning Commission initiating a procedure to amend Title X, Chapter 3 of the City Municipal Code (CMC) relating to the lapse of site plan approval (10-3.4.0114), termination of use permits (10-3.1311) and termination of variances (10.3.1411).

4. CUP 2024-19 & SPR 2024-29 – Gas Station Alcohol Beverage Control (ABC) License (Adi Rueda)

Subject: Consideration of an application for a Conditional Use Permit and Site Plan Review requesting authorization for a service station (Valero) convenience store to obtain a California Department of Alcoholic Beverage Control (ABC) Type 21 license (Off-Sale General). The service station is located at 2075 W. Kennedy St. (APN: 013-270-023), on the north side of West Kennedy Street between Schnoor Avenue and Highway/State Route 99. The Type 21 license is issued to retail stores and authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. The site is zoned C1 (Light Commercial) with a General Plan land use of C (Commercial).

Recommendation:

Conduct a public hearing and adopt:

- a. A Resolution of the Planning Commission of the City of Madera determining the project is Categorically Exempt pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines and approving CUP 2024-19 and SPR 2024-29, subject to the findings and conditions of approval.

5. CUP 2024-17 & SPR 2024-24 – Taco Bulls Mobile Food Vendor (Rudy Luquin)

Subject: Consideration of an application for a Conditional Use Permit and Site Plan Review to permit the operation of a mobile food preparation unit on property located at 1801 W. Cleveland Ave. The site is located at the Northwest corner of the intersection of W. Cleveland Ave. and Highway 99 and is zoned C2 (Heavy Commercial) with a General Plan land use of C (Commercial).

Recommendation:

Conduct a public hearing and adopt:

- a. A Resolution of the City of Madera Planning Commission determining that the project is Categorically Exempt pursuant to Section 15311, Class 11 (Accessory Structures) of the California Environmental Quality Act (CEQA) Guidelines and approving CUP 2024-17 and SPR 2024-24, subject to the findings and conditions of approval.

6. CUP 2024-20 & SPR 2024-28 – New Verizon Tower (Rudy Luquin)

Subject: Consideration of an application for a Conditional Use Permit and Site Plan Review proposing to construct a 90-foot tall unmanned monopine wireless telecommunication tower for Verizon Wireless. The project site is located at 1016 S. Pine St. on the west site of S. Pine St. between W. Almond Ave. and Independence Dr. The site is zoned U (Unclassified) with an I (Industrial) General Plan land use designation.

Recommendation:

Conduct a public hearing and adopt:

- a. A Resolution of the Planning Commission of the City of Madera determining the project is Categorically Exempt pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines and approving Conditional Use Permit (CUP) 2024-20 and Site Plan Review (SPR) 2024-28, subject to the findings and conditions of approval.

7. CUP 2024-16 & SPR 2024-26 – Country Club Commercial Uses

THIS ITEM IS BEING CONTINUED TO THE DECEMBER 10TH PLANNING COMMISSION MEETING.

Subject: Consideration of an application for a Conditional Use Permit and Site Plan Review to authorize by-right commercial uses in an existing legal non-conforming commercial center at 16479 Road 26 and 16465 Road 26. The site was previously developed in the Madera County jurisdiction and was rezoned to residential when annexed into the City of Madera. The site is currently zoned R1 (Residential – one unit for every 6,000 sq. ft.) and has a General Plan land use of LD (Low Density Residential).

Recommendation:

Conduct a public hearing and adopt:

- a. A Resolution of the Planning Commission of the City of Madera determining the project is Categorically Exempt per Section 15301, Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines and approving CUP 2024-16 and SPR 2024-26 subject to the findings and conditions of approval.

8. CUP 2023-08 & SPR 2023-26 – Restaurant Drive Through

THIS ITEM IS BEING REFERRED BACK TO STAFF.

Subject: Consideration of an application for a Conditional Use Permit and Site Plan Review to allow for the use of a drive through in conjunction with a proposed restaurant on ±0.34 acres of property located on the southern corner of the intersection of East 5th Street and North D Street (126 N. D St.). The site is zoned C1 (Light Commercial) with a C (Commercial) General Plan land use designation.

Recommendation:

Conduct a public hearing and adopt:

- b. A Resolution of the Planning Commission of the City of Madera adopting a determination of Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15303, Class 11 (Accessory Structures) and 15332, Class 32 (In-Fill Development Projects) and approving Conditional Use Permit 2023-08 and Site Plan Review 2023-26 subject to the findings and conditions of approval.

ADMINISTRATIVE REPORTS:

COMMISSIONER REPORTS:

ADJOURNMENT:

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- The meeting room is accessible to the physically disabled. Requests for accommodations for persons with disabilities such as signing services, assistive listening devices, or alternative format agendas and reports needed to assist participation in this public meeting may be made by calling the Planning Department's Office at (559) 661-5430 or emailing planninginfo@madera.gov. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be made as soon as practicable as additional time may be required for the City to arrange or provide the requested accommodation. Requests may also be delivered/mailed to: City of Madera, Attn: Planning Department, 205 W. 4th Street, Madera, CA 93637. At least seventy-two (72) hours' notice prior to the meeting is requested but not required. When making a request, please provide sufficient detail that the City may evaluate the nature of the request and available accommodations to support meeting participation. Please also provide appropriate contact information should the City need to engage in an interactive discussion regarding the requested accommodation.
 - The services of a translator can be made available. Please contact the Planning Department at (559) 661-5430 or emailing planninginfo@madera.gov to request translation services for this meeting. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be submitted in advance of the meeting to allow the City sufficient time to provide or arrange for the requested services. At least seventy-two (72) hours' notice prior to the meeting is requested but not required.

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.