

PLANNING COMMISSION
200 W. FOURTH STREET
MADERA, CALIFORNIA
MARCH 5, 2019 MEETING

The meeting was called to order at 6:00 p.m. by Chairman Reed.

ROLL CALL:	<u>PRESENT</u>	<u>ABSENT</u>
Commissioners:	Chairman John Reed Vice Chairman Thomas Hurst Parmjit Nijjar Angelina Herrera Cantu	Jeff Dal Cerro
Staff:	Jamie Bax, CED – Planning Robert Mansfield - Planning Annette Kephart, CED Kamara Biawogi – Planning Emily Lane - Planning Doug Nelson – County Counsel Dexter Marr, CED – Environmental Health Phu Dong – Public Works Alan Pehl, CED – Building/Fire Prevention Barkett Almaklani - Public Works	

(This meeting was recorded. Display maps depicting the location of each project were provided for review to the Commission and audience. All correspondence relating to these matters were submitted to the Commission at the beginning of the meeting.)

REQUEST FOR COMMENTS FROM THE AUDIENCE

Commissioner Reed inquired if anyone in the audience wished to speak on an item that was not on the agenda.

Comments: None

CONSENT CALENDAR:

The March 5, 2019 agenda and February 5, 2019 minutes were reviewed.

On a motion by Commissioner Hurst, and seconded by Commissioner Nijjar, it was ordered to adopt the February 5th minutes and the March 5th agenda. The motion carried on a vote of 4-0 in favor with 1 absent. Yes: Commissioner Hurst, Commissioner Nijjar, Commissioner Cantu and Commissioner Reed. Absent: Commissioner Dal Cerro.

PLANNING COMMISSION PUBLIC HEARING:

1. NISSEN, NIS – REZONE (CZ #2017-012) – CHOWCHILLA

Nissen, Nis requested a rezoning (CZ #2017-012) to allow for future development. The property is owned by Nissen, Nis and is located on the Northwest of Hwy 152 & Southwest of Hwy 223 (23172 Robertson Blvd) Chowchilla. The property is zoned ARE-20 (Agricultural, Rural, Exclusive, Twenty Acre) District. The proposed zone is CRH (Commercial, Rural, Highway) District. A draft Mitigated Negative Declaration

(MND #2018-28) was prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA). Size: 16.23 acres. APN: 025-220-001.

Kamara Biawogi, Planner, presented the information on this item and recommended approval.

Comments: Nis Nissen spoke in favor of the project.

On motion by Commissioner Hurst and seconded by Commissioner Cantu, it was ordered to recommend approval of Rezone (CZ #2017-012) to allow for future development and Mitigated Negative Declaration (MND #2018-28) to the Board of Supervisors. The motion carried on a vote of 4-0 in favor with 1 absent. Yes: Commissioner Hurst, Commissioner Cantu, Commissioner Nijjar and Commissioner Reed. Absent: Commissioner Dal Cerro.

RESOLUTION: #2019-07
REF: CZ #2017-012
FILE: 025-220-001

DATE: MARCH 5, 2019; REF: CZ #2017-012; 025-220-001

2. OMNI FINANCIAL, LLC – REZONE (CZ #2018-011), TENTATIVE PARCEL MAP (PM #4249) – CHOWCHILLA

Omni Financial, LLC requested a Rezone (CZ #2018-011) from AR-5 (Agricultural, Rural, Five Acre) to RRS (Rural, Residential, Single Family) and Tentative Parcel Map (PM #4249) to divide the two properties into four parcels and a remainder (1.5 acres, 1.5 acres, 1.79 acres, 1.61 acres and 3.41 remainder acres). The project site consists of two properties (4.5 acres and 4.79 acres) and is located on the northwest and northeast corners of Avenue 24 and Leslie Lane (no situs and 15337 Avenue 24), Chowchilla. A draft Mitigated Negative Declaration (MND #2018-24) was prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA). Size: 4.50 Acres and 4.79 Acres. APN: 026-240-073, 026-240-074.

Emily Lane, Planner, presented the information on this item and recommended approval.

Comments: Sid Halterman spoke in favor of the project.

On motion by Commissioner Hurst and seconded by Commissioner Nijjar, it was ordered to recommend approval of Rezone (CZ #2018-011) from AR-5 (Agricultural, Rural, Five Acre) to RRS (Rural, Residential, Single Family), Tentative Parcel Map (PM #4249) to divide the two properties into four parcels and a remainder (1.5 acres, 1.5 acres, 1.79 acres, 1.61 acres and 3.41 remainder acres) and Mitigated Negative Declaration (MND #2018-24) to the Board of Supervisors. The motion carried on a vote of 4-0 in favor with 1 absent. Yes: Commissioner Hurst, Commissioner Cantu, Commissioner Nijjar and Commissioner Reed. Absent: Commissioner Dal Cerro.

RESOLUTION: #2019-08
REF: CZ #2018-011
File: 026-240-073, 026-240-074

DATE: MARCH 5, 2019; REF: CZ #2018-011; 026-240-073, 026-240-074

3. BATES, R. BOYCE – APPEAL OF SETBACK VARIANCE (ZV #2018-009) – WISHON

Appeal of the Zoning Administrators decision to approve the application of Bates, R. Boyce for Setback Variance (ZV #2018-009) to allow a side setback of 1'-00", where a 5'-00" side setback is required by ordinance. The property is owned by HANLEY

FAMILY TRUST and is located on the northeast side of Emory Lane, approximately 860 feet north of its intersection with Upper Emory Lane (38043 Emory Lane), Wishon. The property is zoned RMS (Rural, Mountain, Single Family) District. Size: 0.45 acres. APN: 070-250-009.

Robert Mansfield, Senior Planner, presented the information on this item and recommended denial.

Comments: Boyce Bates and Ed Hanley spoke in favor of the project. John Wilgus spoke in opposition of the project with concerns regarding view from his home and that property was flat enough to have home built with setbacks required by ordinance.

On motion by Commissioner Nijjar and seconded by Commissioner Cantu, it was ordered that the findings of fact were made to recommend denial of the appeal of the Zoning Administrators decision to approve the application of Bates, R. Boyce for Setback Variance (ZV #2018-009) to allow a side setback of 1'-00", where a 5'-00" side setback is required by ordinance. The motion carried on a vote of 4-0 in favor with 1 absent. Yes: Commissioner Hurst, Commissioner Cantu, Commissioner Nijjar and Commissioner Reed. Absent: Commissioner Dal Cerro.

RESOLUTION: #2019-09
REF: ZV #2018-009
File: 070-250-009

DATE: MARCH 5, 2019; REF: ZV #2018-009; 026-240-073, 070-250-009

4. THE PINES RESORTS OF CALIFORNIA, LLC – TENTATIVE SUBDIVISION MAP (S #2006-007) – BASS LAKE

The Pines Resorts of California, LLC requested a one year time extension for Tentative Subdivision Map (S #2006-007) which would divide a 10.82 acre parcel into 67 residential lots. The property is located on the east side of Road 432, approximately 0.1 of a mile south of its intersection with Road 274, Bass Lake (no situs address is available). The present zone is PDD (Planning Development District). A Mitigated Negative Declaration was previously certified for the project in compliance with provisions of the California Environmental Quality Act (CEQA). Size: 10.82 acres. APN: 070-111-002, -003, 070-110-029, -030, -031, -032, -033, and -035.

Jamie Bax, Deputy Director presented the information on this item and recommended approval.

Comments: None.

On motion by Commissioner Nijjar and seconded by Commissioner Hurst, it was ordered to approve a one year time extension for Tentative Subdivision Map (S #2006-007) which would divide a 10.82 acre parcel into 67 residential lots. The motion carried on a vote of 4-0 in favor with 1 absent. Yes: Commissioner Hurst, Commissioner Cantu, Commissioner Nijjar and Commissioner Reed. Absent: Commissioner Dal Cerro.

RESOLUTION: #2019-10
REF: S #2006-007
File: 070-111-002, -003, 070-110-029, -030, -031, -032, -033, and -035

DATE: MARCH 5, 2019; REF: S #2006-007; 070-111-002, -003, 070-110-029, -030, -031, -032, -033, and -035

5. ROMIAS, SONNY – CONDITIONAL USE PERMIT (CUP #2018-026) – MADERA

Romias, Sonny requested a Conditional Use Permit (CUP #2018-026) to allow an automotive repair business. The property is owned by Valdez, Constantino and Valdez, Hermila Gutierrez. The property is located on the southeast corner Road 26 and Avenue 17 1/2 (no situs), Madera. The property is zoned CRM (Commercial, Rural, Median) District. A draft Mitigated Negative Declaration (MND #2019-02) was prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA). Size: 0.31 acres. APN: 036-151-006.

Emily Lane, Planner I, presented the information on this item and recommended approval.

Comments: Sonny Ramias and Javier Robacava spoke in favor of the project. Sylvia Sarasua spoke in opposition of the project with concerns about exhaust fumes. Bernard Sarasua spoke in opposition with concerns about exhaust fumes and hours of operation.

On motion by Commissioner Cantu and seconded by Commissioner Hurst, it was ordered to approve Conditional Use Permit (CUP #2018-026) to allow an automotive repair business and Mitigated Negative Declaration (MND #2019-02). The motion carried on a vote of 4-0 in favor with 1 absent. Yes: Commissioner Hurst, Commissioner Cantu, Commissioner Nijjar and Commissioner Reed. Absent: Commissioner Dal Cerro.

RESOLUTION: #2019-11
REF: CUP #2018-026
File: 036-151-006

DATE: MARCH 5, 2019; REF: CUP #2018-026; 036-151-006

PLANNING COMMISSION COMMENTS:

PLANNING DIRECTOR COMMENTS:

Next meeting date April 2, 2019.

On motion, second, it was ordered to adjourn the meeting.

Matthew Treber, Planning Director
Matthew Treber, Secretary of Planning Commission