

PLANNING COMMISSION
200 W. FOURTH STREET
MADERA, CALIFORNIA
JANUARY 08, 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 Jeff Dal Cerro	Angelina Herrera Cantu
Staff:	Matthew Treber, CED Jamie Bax, CED – Planning Robert Mansfield, CED - Planning Annette Kephart, CED Kamara Biawogi, CED - Planning Doug Nelson – County Counsel Dexter Marr, CED – Environmental Health Phu Dong – Public Works Alan Pehl, CED – Building/Fire Prevention	

(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 January 8, 2019 agenda and December 11, 2018 minutes were reviewed.

On a motion by Commissioner Hurst, and seconded by Commissioner Nijjar, it was ordered to adopt the December 11th minutes and the January 8th agenda. The motion carried on a vote of 3-0 in favor with 1 abstention and 1 absent. Yes: Commissioner Hurst, Commissioner Nijjar and Commissioner Reed. Abstain: Commissioner Dal Cerro. Absent: Commissioner Cantu.

PLANNING COMMISSION PUBLIC HEARING:

1. GARRETT SHINGU – CONDITIONAL USE PERMIT (CUP #2018-021) – OAKHURST

Shingu, Garrett requested a Conditional Use Permit (CUP #2018-021) to amend Conditional Use Permit #2018-004 for a Continuum of Care Senior Community expansion and redesign of facility. The property is owned by Mountain Properties Associates, M Lewis Inc, Etow, Derek K., Shingu, Garrett M. and is located on the on the southwest corner of Highway 41 and Victoria Lane (No Situs), Oakhurst. The property is zoned PDD (Planned Development District) District. A previously certified Mitigated Negative

Declaration (MND #2018-005) was prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA). Size: 12.77 acres. APN: 064-080-073.

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

Comments: Robert Davidson, Kenny Buller, Rick Lemburg, David Hill and Sharron Hill spoke in favor of the project. Ashley Smith spoke in opposition of project with concerns regarding traffic and zoning. Colette Goca spoke in opposition with concerns regarding increased traffic and obstruction of scenic views.

On motion by Commissioner Dal Cerro and seconded by Commissioner Hurst, it was ordered to approve Conditional Use Permit (CUP #2018-021) to amend Conditional Use Permit #2018-004 for a Continuum of Care Senior Community expansion and redesign of facility with modification of site plan to block access to property from Foothill Drive. The motion carried on a vote of 4-0 in favor with 1 absent. Yes: Commissioner Hurst, Commissioner Dal Cerro, Commissioner Nijjar and Commissioner Reed. Absent: Commissioner Cantu.

RESOLUTION: #2019-01
REF: CUP #2018-021
File: 064-080-073

DATE: JANUARY 8, 2019; REF: CUP #2018-021; 064-080-073

2. FRANCIS CORSO, RED TAIL ACQUISITIONS, VP CONSTRUCTION – GENERAL PLAN (GP #2018-004), CONDITIONAL USE PERMIT (CUP #2018-007) – OAKHURST

Francis Corso, Red Tail Acquisitions, VP Construction requested a Project BDS - #2018-005 with a General Plan (GP #2018-004) to amend the Madera County General Plan pursuant to Section 65358 of the Government Code. The proposal is to amend 38.62 acres now shown as RR (Rural Residential) Designation to CC (Community Commercial) Designation and is located on the north side of Road 632, approximately 500 feet west of the intersection with Country Club Drive West (50681 Road 632), Oakhurst. A Conditional Use Permit (CUP #2018-007) was also considered to allow an RV Resort with a mix of sites, cabins and camping sites. The property is owned by Castle Rock Estates, Inc. A draft Mitigated Negative Declaration (MND #2018-25) was prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA). Size 38.62 Acres. APN: 057-180-037 and 057-600-013.

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

Comments: Tim Khim, Debbie Rodd and Bill Stahl spoke in favor of the project. Larry Van Nevan spoke in opposition with concerns regarding fire safety, property values, narrow bridge at bottom of steep hill and ability for RV maneuvering on road, light pollution, perimeter fencing, noise abatement, pet policies and liability insurance. Harold Nelson spoke in opposition with concerns about two lane bridge and fire danger. Jason Sandomine spoke in opposition with concerns regarding water usage, traffic, and two lane bridge on access road. John Fraine spoke in opposition with concerns about property boundaries and cross access to neighboring properties, noise, and safety concerns. Joanne Mohr spoke in opposition with concerns on changing the General Plan from Residential to Commercial, fire safety and evacuation plans, water and septic concerns, property values, and environmental impacts to Lewis Creek. Jim Miner spoke in opposition with concerns regarding traffic safety, narrow bridge on access road, noise, security, water and safety. Arron Beam spoke in opposition with concerns regarding water and wells. Paul Waite spoke in opposition with concerns regarding safety of children at neighboring bible camp, noise and light pollution, wildlife, and security. Len Cargill spoke

in opposition with concerns of increased traffic onto highway 41 from Sky Ranch Road and traffic safety issues caused by RV's and increased traffic in area.

On motion by Commissioner Nijjar and seconded by Commissioner Dal Cerro, it was ordered to continue Project BDS - #2018-005 with General Plan (GP #2018-004), Conditional Use Permit (CUP #2018-007) and draft Mitigated Negative Declaration (MND #2018-25) to the next meeting date. The motion carried on a vote of 4-0 in favor with 1 absent. Yes: Commissioner Hurst, Commissioner Dal Cerro, Commissioner Nijjar and Commissioner Reed. Absent: Commissioner Cantu.

**REF: GP #2018-004, CUP #2018-007
File: 057-180-037, 057-600-013**

DATE: JANUARY 8, 2019; REF: GP #2018-004, CUP #2018-007; 057-180-037, 057-600-013

3. FAGUNDES BROTHERS – GENERAL PLAN (GP #2018-005), REZONE (CZ #2018-004) – CHOWCHILLA

Hearing was to consider amending the Madera County General Plan (GP #2018-005) pursuant to Section 65358 of the Government Code. The area considered consists of 38.19 acres located on the northwest and northeast corners of the intersection of Highway 152 and Road 14 1/2 (14181 Highway 152) Chowchilla. The proposal by Fagundes Brothers was to amend the area now shown as AR (Agricultural Residential), VLDR (Very Low Density Residential) to CC (Community Commercial) Designation(s). A rezoning (CZ #2018-004) was considered to change the zoning from AR-5 (Agricultural, Rural, Five Acre), RRS District(s) to CRG (Commercial, Rural, General). The property is owned by Fagundes Brothers, Fagundes Dairy. A draft Mitigated Negative Declaration (MND #2018-27) was prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA). Size: 38.19 acres. APN: 026-272-011 and 026-272-036.

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

Comments: Norman Allinder spoke in favor of the project.

On motion by Commissioner DalCerro and seconded by Commissioner Hurst, it was ordered to recommend approval of General Plan (GP #2018-005) to amend the area now shown as AR (Agricultural Residential), VLDR (Very Low Density Residential) to CC (Community Commercial) Designation(s), Rezoning (CZ #2018-004) to change the zoning from AR-5 (Agricultural, Rural, Five Acre), RRS District(s) to CRG (Commercial, Rural, General) and draft Mitigated Negative Declaration (MND #2018-27) to the Board of Supervisors. The motion carried on a vote of 4-0 in favor with 1 absent. Yes: Commissioner Hurst, Commissioner Dal Cerro, Commissioner Nijjar and Commissioner Reed. Absent: Commissioner Cantu.

**RESOLUTION: #2019-02
REF: GP #2018-005, CZ #2018-004
File: 026-272-011, 026-272-036**

DATE: JANUARY 8, 2019; REF: GP #2018-005, CZ #2018-004; 026-272-011, 026-272-036

4. APEX ENERGY SOLUTIONS, LLC. – CONDITIONAL USE PERMIT (CUP #2018-020) – MADERA

APEX Energy Solutions, LLC., requested a Conditional Use Permit (CUP #2018-020) to construct a 3.0 megawatt (MW) solar photovoltaic electric generating and energy storage facility occupying up to 19 acres of a 19.35 acre parcel tying into the PG&E Storey 1109 12kV Distribution Circuit. The project is currently undergoing a Williamson Act Contract Cancellation (WCC #2018-001). The property is located on the east side of Road 600, approximately 430 feet northeast of its intersection with Road 31 (no situs), Madera. The property is owned by Howard, Kara D., and Howard, Thomas M. A draft Mitigated Negative Declaration (MND #2018-26) was prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA). Size: 19.35 Acres. APN: 031-091-038.

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

Comments: Jamie Negal spoke in favor of the project.

On motion by Commissioner Hurst and seconded by Commissioner Nijjar, it was ordered to approve Conditional Use Permit (CUP #2018-020) to construct a 3.0 megawatt (MW) solar photovoltaic electric generating and energy storage facility occupying up to 19 acres of a 19.35 acre parcel tying into the PG&E Storey 1109 12kV Distribution Circuit and Mitigated Negative Declaration (MND #2018-26). The motion carried on a vote of 4-0 in favor with 1 absent. Yes: Commissioner Hurst, Commissioner Dal Cerro, Commissioner Nijjar and Commissioner Reed. Absent: Commissioner Cantu.

RESOLUTION: #2019-03
REF: CUP #2018-020
File: 031-091-038

DATE: JANUARY 8, 2019; REF: CUP #2018-030; 031-091-038

5. BONADELLE NEIGHBORHOODS – TENTATIVE SUBDIVISION MAP (S #2018-003) – MADERA

Bonadelle Neighborhoods requested a Tentative Subdivision Map (S #2018-003) for 21.6 acres into 275 lots. The property is owned by Riverstone Farms LLC. The project site is located on the southwest corner of the intersection of Avenue 12 and Riverstone Blvd. (no situs) Madera, and within the Riverstone Specific Plan boundaries. A previously certified Environmental Impact Report, Specific Plan, Area Plan, and other related documents in which this project is consistent with was adopted by the Board of Supervisors on September 11, 2007. Pursuant to Section 15162 of the CEQA Guidelines, none of the conditions calling for the preparation of a subsequent EIR have occurred. In addition, in accordance with 15182 of the Government Code, this project is also exempt from the California Environmental Quality Act. Size: 21.6 acres. APN: 049-053-011.

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

Comments: None

On motion by Commissioner Hurst and seconded by Commissioner DalCerro, it was ordered to approve Tentative Subdivision Map (S #2018-003) for 21.6 acres into 275 lots. The motion carried on a vote of 4-0 in favor with 1 absent. Yes: Commissioner Hurst, Commissioner Dal Cerro, Commissioner Nijjar and Commissioner Reed. Absent: Commissioner Cantu.

RESOLUTION: #2019-04
REF: S #2018-003
File: 049-053-011

PLANNING COMMISSION COMMENTS:

Commission discussed having two meetings in February. One on February 5th and another on February 12th or 19th.

PLANNING DIRECTOR COMMENTS:

Three items on for February agenda.

Next meeting date February 5, 2019

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

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