

MINUTES

CITY OF DELANO PLANNING COMMISSION – REGULAR MEETING March 13, 2013

CALL TO ORDER

Chairman Barba called the meeting to order at 6:04 p.m. in the City Hall Council Chambers, 1015 – Avenue.

FLAG SALUTE

Commissioner Headrick led the flag salute.

ROLL CALL

Commissioners present: Irma Barba, Anthony Gonzales, Sandeep Grewal, Diana Headrick, Terrence Monrian, Dwight Todd

Commissioners absent: Gary Langston

OFFICIALS PRESENT

Community Development Director Cariño, City Attorney Peake, City Clerk Kraft, Senior Planner McCabe, Associate Planner Tendai Mtunga

ITEMS FROM THE PUBLIC

No items

CONSENT AGENDA

- 1) Authorization to waive the reading of any ordinance or resolution in its entirety and consenting to the reading of such ordinances or resolutions by title only
- 2) Minutes of regular Planning Commission meeting of February 13, 2013

Moved by Commissioner Gonzales, seconded by Commissioner Headrick, and unanimously carried to approve the Consent Agenda.

PUBLIC HEARINGS

- 3) Public Hearing #2013-03: **(Continued from February 13, 2013)** Conditional Use Permit No. 2013-01 requesting the following:
 - a) A request to allow beer and wine sales for off-site consumption only at an existing Family Dollar Store in the “GC” (General Commercial) zone district, on property located at 1990 Cecil Avenue (Assessor Parcel Number 423-020-19) (Exempt from CEQA).
 - b) A determination of public convenience or necessity for the proposed sale of beer and wine for off-site consumption only in the “GC” (General Commercial) zone district, on property located at 1990 Cecil Avenue (Exempt from CEQA).

Ms. Cariño stated that the applicant is requesting this item be continued to April 10, 2013.

Moved by Commissioner Gonzales, seconded by Commissioner Todd and unanimously carried to continue Public Hearing #2013-03, Conditional Use Permit No. 2013-01, to April 10, 2013.

- 4) Public Hearing #2013-07: Conditional Use Permit No. 2013-04 requesting approval for construction of a 9,766 square foot restaurant with a game arcade and beer and wine sales for on-site consumption only on a 2.02 acre site located south of County Line Road and west of High Street and the Union Pacific Railroad. The property is zoned "I" (Industrial). APN: 410-020-10 (Exempt from CEQA).

Chairman Barba stated she has a conflict of interest as she owns property in the project area and left the room during discussion and vote of this item. Commissioner Grewal stated he has a conflict of interest as he owns property in the project area and left the room during discussion and vote of this item.

Moved by Commissioner Monrian, seconded by Commissioner Todd and unanimously carried to elect Commissioner Headrick to serve as temporary chairman during discussion and vote of this item.

Mr. McCabe presented the staff report.

Chairman Headrick asked for public comments.

Janet Serna asked how much it will cost to build the restaurant. Mr. Peake explained that is not a fact that is considered for approval of the conditional use permit.

Chairman Headrick closed the public hearing.

There was discussion regarding lighting for the parking area and if there will be a parking area for bicycles.

There was discussion regarding where consumption of alcohol will be allowed in the building. Juvenal Montemayor, applicant, stated there will be no food or drink of any kind allowed in the arcade and play areas. Alex Ceballos, 259 N Hawkett, Porterville, the designer for the project, explained where the restricted areas will be.

Moved by Commissioner Gonzales, seconded by Commissioner Monrian and unanimously carried by all those present to adopt Resolution No. 2013-07 approving Conditional Use Permit No. 2013-04 requesting approval for the construction of a 9,766 square foot restaurant with a game arcade and beer and wine sales for on-site consumption only in the "I" (Industrial) zone district, with the addition of the following condition: No alcoholic beverages are to be allowed in the arcade area nor the area immediately to the north, east, or west of the arcade area with appropriate signage to be approved by the Community Development Director.

Chairman Barba and Commissioner Grewal returned to the meeting.

- 5) Public Hearing #2013-08: Zone Amendment No. 2013-02, a request to amend the Official Zoning Map of the City of Delano from "I" (Industrial) to "CRC" (Community Retail Commercial) on a 3.42 acre parcel located on the east side of Garzoli Avenue approximately 800 feet south of Woollomes Avenue. APN 521-050-13 (Exempt from CEQA).

Mr. McCabe presented the staff report.

Chairman Barba asked for public comments. There were no public comments

Chairman Barba closed the public hearing.

Moved by Commissioner Headrick, seconded by Commissioner Monrian and unanimously carried to adopt Resolution No. 2013-08 recommending to City Council approval of Zone Amendment No. 2013-02 by adopting an ordinance to amend the official zoning map of the City of Delano by changing the existing zone district from "I" (Industrial) to "CRC" (Community Retail Commercial) on a 3.42 acre site located on the east side of Garzoli Avenue approximately 800 feet south of Woollomes Avenue.

- 6) Public Hearing #2013-09: Recommendation to City Council on Zone Amendment No. 2013-03 (Exempt from CEQA)
 - a) A proposal to amend Chapter 20.5.40 (Commercial Site Development Standards) of the Delano Municipal Code by increasing the maximum Floor Area Ratio specified in Line 7 of Table 5.B in the above-referenced Chapter in the "DC" (Downtown Commercial) zone district only.
 - b) A proposal to amend chapter 20.5.40 (Commercial Site Development Standards) of the Delano Municipal Code by increasing the maximum building height specified in Line 8 of Table 5.B in the above-referenced Chapter in the "DC" (Downtown Commercial) zone district only.
 - c) A proposal to amend Chapter 20.5.20 (Commercial Development Districts) of the Delano Municipal Code by revising the zone district description contained in Subsection 3 in the above-referenced Chapter to more fully describe the purpose and functions of the Downtown Commercial (DC) zone district.

Chairman Barba stated she has a conflict of interest as she owns property in the project area and left the room during discussion and vote of this item. Commissioner Grewal stated he has a conflict of interest as he owns property in the project area and left the room during discussion and vote of this item.

Moved by Commissioner Monrian, seconded by Commissioner Todd and unanimously carried to elect Commissioner Headrick to serve as temporary chairman during discussion and vote of this item.

Ms. Cariño presented the staff report.

Chairman Headrick asked for public comments. There were no public comments.

Chairman Headrick closed the public hearing.

Moved by Commissioner Gonzales, seconded by Commissioner Todd and unanimously carried to adopt Resolution No. 2013-09 recommending to City Council adoption of an ordinance amending Chapter 20.5.20(3) and Table 5.B of Chapter 20.5.20(1) of Title 20 of the Delano Municipal Code by revising the purpose and description of the "DC" (Downtown Commercial) zone district, increasing the maximum floor area ratio in the same zone district to 2.0, and increasing the maximum building height in the same zone district to 45 feet.

REGULAR AGENDA

7) Discussion about dog parks

Ms. Cariño stated this item was brought up at the last commission meeting and staff is asking for direction.

There was discussion regarding maintenance, availability of sites, size of a park, dual use of parks as sump or sports field, who would monitor size and number of dogs allowed, and the need for more research. The consensus of the commissioners was for staff to continue research.

8) Discussion about agricultural uses in residential zone districts

Ms. Cariño reported that a number of years ago several plans were submitted for residential tracts that have not been developed. The lands have been sold and are now being farmed. These areas were rezoned for residential. Staff is asking for direction regarding allowing farming in these residential areas.

After brief discussion, the consensus of the commissioners was for staff to bring something back for consideration to allow farming in the residential zones, possible through a conditional use permit.

9) Discussion about commercial building color ordinance

Ms. Cariño stated City Council asked staff to research this after it was brought up at a council meeting. Staff has contacted other cities in the area. A summary of those policies was presented.

Alex Ceballos, Porterville, stated it is very hard to design buildings when there are strict limitations. Requirements should be open and flexible.

Martin Lu, Delano Market Place, stated that color can make a value engineered building stand out. He added that earth tones don't fade over the years and if the colors are compatible with the surroundings, they generally are OK.

There was discussion regarding a uniform look for downtown, the need to have property owners and merchants on board with a program, addressing residential areas, the need to look at the time period and style of the building, the need to allow variety.

Moved by Commissioner Headrick, seconded by Commissioner Monrian and unanimously carried to recommend to City Council that a committee be appointed to review the issue and the committee consist of 2 Planning Commissioners, 2 Council Members, 2 Chamber of Commerce members, and 2 downtown merchants.

10) Discussion about offsite signs

Ms. Cariño stated that staff has been looking at the sign ordinance. Some merchants feel it is too restrictive and want to post off-site signs. Mr. Peake explained that this would apply to a narrow area along the freeway to entice travelers to shop in Delano.

Martin Lu, Delano Market Place, stated the developers have a total of about 200 acres along Woollomes Avenue in various stages of development. They would like to have monument signs identifying all the retailers. They are not looking at billboards.

The consensus of the commissioners was for staff to look at conditional use permits.

DEPARTMENTAL REPORTS

Ms. Cariño provided an update on the Southern California Edison green building program point of sale ordinance. The ESA consultants will contact the commissioners to get their feedback before the proposed ordinance is presented in April.

- 11) Summary of “Community Conversation” held on February 26, 2013, at the Delano Civic Center

Ms. Cariño provided the report.

COMMISSIONER STATEMENTS AND REPORTS

Irma Barba: Thanked the students for attending the meeting

Gary Langston: absent

Anthony Gonzales: thanked staff for their work and the community for coming to the meeting

Dwight Todd: no items

Diana Headrick: thanked the students for attending the meetings

Sandeep Grewal: no items

Terrence Monrian: no items

ADJOURNMENT

Chairman Barba adjourned the meeting at 8:22 p.m.

Phyllis A. Kraft, City Clerk