

MINUTES

**CITY OF DELANO
PLANNING COMMISSION – REGULAR MEETING
March 9, 2016**

CALL TO ORDER

Chairman Monrian called the meeting to order at 6:00 p.m. in the City Hall Council Chambers, 1015 – 11th Avenue.

FLAG SALUTE

Commissioner Todd led the flag salute.

ROLL CALL

Commissioners present: Anthony Gonzales, Julio Guerra, Diana Headrick, Gary Langston, Terrence Monrian, Dwight Todd

Commissioners absent: Sandeep Grewal

OFFICIALS PRESENT

Interim Community Development Director Keene, City Clerk Kraft, Senior Planner Card

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 January 13, 2016; February 10, 2016

Moved by Commissioner Todd, seconded by Commissioner Guerra, and unanimously carried by all those present to approve the Consent Agenda.

PUBLIC HEARINGS

- 3) Public Hearing #2016-02: **Conditional Use Permit No. 2016-001**, Juan Jimenez is requesting approval of a conditional use permit pursuant to §20.11.50 (Alcohol Beverage Outlet Regulations) of the Delano Municipal Code to allow approval of a Type 42 ABC license to authorize on-sale Beer and Wine – Public Premises (Bar, Tavern) for consumption on the premises. The site is located at 1126 High Street; the property is zoned GC (General Commercial). (APN 038-210-15)

Mr. Card presented the staff report. He noted some typo corrections to the proposed resolution.

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

Chairman Monrian closed the public hearing.

Moved by Commissioner Langston, seconded by Commissioner Todd and unanimously carried by all those present to adopt Resolution No. 2016-02 approving Conditional Use Permit to allow alcohol sales for on-site consumption (ABC License Type 47) and findings of public convenience and necessity in accordance with Government Code Section 23958.4 of the California Business and Professions Code (CUP 2016-001; APN 038-210-15; 1126 High Street).

- 4) Public Hearing #2016-03: **Conditional Use Permit No. 2016-002**, Desiree Campos is requesting approval of a conditional use permit pursuant to §20.11.50 (Alcohol Beverage Outlet Regulations) of the Delano Municipal Code to allow approval of a Type 41 ABC license to authorize on-site sale of Beer, Wine and Distilled Spirits – for consumption on the premises only. The site is located at 710 High Street; the property is zoned GC (General Commercial). (APN 038-170-15)

Mr. Card presented the staff report. He noted some typo corrections to the proposed resolution.

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

Chairman Monrian closed the public hearing.

Moved by Commissioner Headrick, seconded by Commissioner Guerra and unanimously carried by all those present to adopt Resolution No. 2016-03 approving Conditional Use Permit to allow alcohol sales for on-site consumption (ABC License Type 41) and findings of public convenience and necessity in accordance with Government Code Section 23958.4 of the California Business and Professions Code (CUP 2016-002; APN 038-170-15; 710 High Street).

- 5) Public Hearing #2016-04: **Appeal of the Community Development Director's Approval of Site Plan Review Application No. 2015-010** by Ramon Santamaria, property owner who is appealing the decision of the Community Development Director approving a Site Plan Review application with project conditions. The appeal of the Community Development Director's decision is pursuant to §20.2.180 (Appeals) of the Delano Municipal Code. The site is located at 1107 Dover Place; the property is zoned NC (Neighborhood Commercial). (APN 037-325-02)

Mr. Keene presented the staff report. He reviewed the requirements and noted that some are requirements in the municipal code and some are not.

Chairman Monrian asked for public comments.

Ramon Santamaria, the property owner, addressed the Commission. He stated: the market has nothing to do with this project; the city is requiring him to put slats on the fence that is on someone else's property; the barb wire has been there for 20 years and he had permits in 2006 to repair it; he is not aware of any code violations; why are slats required when the mesh that is there is approved by Caltrans; he doesn't have anything behind the building; the city put up barb wire across the street 7 months ago; the driveway is within compliance; Big Dogz did not change their drive-way; the city is asking for a notarized agreement between him and the tenant; both properties do not belong to him, he is a shareholder in the company; the city is requiring the driveway to be 20 feet and it is 22 feet; the city was supposed to have a letter for him on the 12th and it wasn't ready.

Chairman Monrian closed the public hearing.

Mr. Keene stated that Big Dogz Recycling is required to have slats within 6 months; the regulations on barb wire were changed by ordinance in 2008; if changes are made to a property or business, the current code must be followed; the driveway was inspected by the engineering department to determine if it is ADA compliant; the city is requiring fence slats because they are cheaper than installing a brick wall; schools obtain their permits from the state, not the city; the letter for Mr. Santamaria was ready for him on the 12th but no one came to pick it up.

There was some discussion with commissioners regarding the drive approach; slats in the fence, ADA compliance, and when the previous business vacated the property.

Moved by Commissioner Langston, seconded by Commissioner Gonzales and unanimously carried by all those present to continue this item and have staff consult the city attorney on items discussed including the non-conforming issue and the legal noticing requirements for the next hearing on this item.

REGULAR AGENDA

No items

DEPARTMENTAL REPORTS

Mr. Keene reported that staff is planning to review the municipal code and may want to have sub-committees help on that project. The housing element implementation will require some re-zoning. Mr. Keene noted staff is looking for volunteers to help on the project.

Phase I on the new sub-division is going up on Albany. The Hyatt Hotel should break ground in March; The new dry storage building going up at Paramount will look like a Halo Box. Wonderful Academy is progressing. Venito Avenue is not full width. A car wash is going up on Cecil Avenue. A medical building and retail shops are going in next to San Joaquin Valley College.

COMMISSIONER STATEMENTS AND REPORTS

Gary Langston asked that City Engineer Roman Dowling be present at the next meeting to answer questions regarding the appeal of Site Plan Review Application No. 2015-010.

ADJOURNMENT

Moved by Commissioner Headrick, seconded by Commissioner Guerra, and unanimously carried to adjourn the meeting at 7:32 p.m.

Phyllis A. Kraft, City Clerk