

## MINUTES

### CITY OF DELANO PLANNING COMMISSION – REGULAR MEETING May 11, 2016

#### CALL TO ORDER

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

#### FLAG SALUTE

Commissioner Todd led the flag salute.

#### ROLL CALL

Commissioners present: Anthony Gonzales, Diana Headrick, Terrence Monrian, Dwight Todd  
Commissioners absent: Sandeep Grewal, Julio Guerra (excused), Gary Langston (excused)

#### OFFICIALS PRESENT

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

#### 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 March 9, 2016; April 13, 2016

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

#### PUBLIC HEARINGS

- 3) Public Hearing #2016-04: (continued from March 9, 2016) **Appeal of the approval of Site Plan Review Application No. 2015-010** by Ramon Santamaria, property owner. The property owner 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). (Assessor Parcel Number 037-325-02)

Mr. Keene presented the staff report. He stated the information is the same as presented at the previous meeting. He noted that the City Attorney's office agrees with staff regarding this matter. He read the email received from the city attorney's office.

Chairman Monrian asked for public comments.

Ramon Santamaria stated he was told the item would be back before the commission in 30 days; he has not heard anything from the city; his attorney has not received anything; there are 26 conditions and he only opposes three; Big Dogz is not required to have slats in the fence; he has filed a complaint against Mr. Keene; is it a conflict of interest for Mr. Keene to be present; can he get a temporary permit until his attorney can review the city attorney's email; he can produce anything the city requires; he will not put a fence on someone else's property; he has mesh on the fence; the school across the street has barbed wire.

Chairman Monrian closed the public hearing.

Commissioner Gonzales stated that Mr. Santamaria was given due process and can appeal to the City Council. He stated he takes exception to racial comments made by Mr. Santamaria and the decision will be based on facts.

Moved by Commissioner Headrick, seconded by Commissioner Gonzales and unanimously carried by all those present to adopt Resolution No. 2016-04 of the Planning Commission denying the appeal of the property owner, Ramon Santamaria and upholding the decision of the Community Development Director's approval with conditions of Site Plan Review Application No. 2015-010 for a small recycling center at 1107 Dover Place – Alfa Recycling; APN 037-352-02.

- 4) Public Hearing #2016-05: (continued from April 13, 2016) **Combined Development Permit (CDP) Application No. CDP 2015-002** filed by Montemayor Family Farms, LLC. The applicant is requesting a General Plan Amendment, Rezoning and review of a conceptual subdivision map. The Planning Commission will also consider adopting the CEQA Mitigated Negative Declaration and the Mitigation Monitoring and Reporting program for the project. The project site is located east of 31110 Schuster Road fronting the north side of Schuster Road, west of Garzoli Road ( APN 521-080-08 and 09)

Mr. Card presented the staff report.

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

Chairman Monrian closed the public hearing.

Commissioner Gonzales asked for clarification that approval tonight would be for one house only and the additional 21 houses would require additional action. Mr. Keene confirmed that statement.

Moved by Commissioner Gonzales, seconded by Commissioner Headrick and unanimously carried by all those present to adopt Resolution No. 2016-05 of the Planning Commission recommending to the City Council approval of a Combined Development Permit No. 2015-002. This Combined development permit project for Montemayor Family Farms, LLC. Assessor's parcels portions of APN 521-080-08 and a portion of APN 521-080-09.

- 5) Public Hearing #2016-06: **Site Plan Review Application No. 2016-05 and Major Variance Application No. 2016-001**. The applicant, MSR Design Group is requesting approval of a Site Plan Review and Variance to allow the conversion of an existing commercial building and site to allow for a car dealership in the General Commercial Zoning District (GC). The proposed project is located at 1804 Girard Street (Assessor's Parcel Number 0411-403-12 and 13)

Mr. Keene presented the staff report. He noted a letter was received from C&H Fence & Patio stating opposition to the proposed project.

Chairman Monrian asked for public comments.

Henry Mendez stated he is a real estate broker who represents the property owner to the north, an auto repair business. He noted that the subject property has a retail building and does not comply with the parking requirements. A lot at 1225 High Street was required to comply with the parking requirements.

Michael Ruiz, MSR Design Group, stated that their interpretation of the ordinance was that only 2 parking spaces are required. The applicant would provide four parking spaces and also count street parking.

Chairman Monrian closed the public hearing.

There was discussion regarding traffic, parking on Girard Street and on 18<sup>th</sup> Avenue, traffic flow through the parking lot, zoning districts where street parking may be counted, the number of cars to be offered for sale, establishing standards and clarifying the interpretation of the code.

Commissioner Gonzales removed himself from discussion and vote on this item due to a conflict of interest.

Moved by Commissioner Gonzales, seconded by Commissioner Todd and unanimously carried by all those present to continue the public hearing to the next regular Planning Commission meeting to allow the applicant to revise the submitted plans to address needed revisions to the project.

### **REGULAR AGENDA**

No items.

### **DEPARTMENTAL REPORTS**

- 6) Appointment of Planning Commission subcommittees for review of certain planning subjects

Mr. Keene reported some planning issues need to be addressed either through amendments to the zoning ordinance / map or general plan amendments, and asked commissioners if they would be willing to serve on sub-committees. The proposed sub-committees would be a Housing Element Implementation Committee, a Sign Ordinance Update Committee, and a Zoning Ordinance Update Committee. Chairman Monrian suggested staff email the commissioners to find what committee they would be interested in serving.

Mr. Keene gave a update on various projects throughout the city. He thanked Commissioner Gonzalez for his service on the Planning Commission.

### **COMMISSIONER STATEMENTS AND REPORTS**

Commissioner Gonzales stated the staff, Mr. Keene, Mr. Card, Ms. Perez, and Ms. Kraft had been very good to work with. He stated he has enjoyed working with the other commissioners and respects the decisions made.

Commissioners Headrick and Monrian thanked Commissioner Gonzales for his service.

### **ADJOURNMENT**

Moved by Commissioner Gonzales, seconded by Commissioner Todd, and unanimously carried to adjourn the meeting at 7:03 p.m.