



**AGENDA
REGULAR MEETING**

CHOWCHILLA PLANNING COMMISSION MEETING

Council Chambers, Chowchilla City Hall
130 S. Second Street, Chowchilla, CA 93610

NOVEMBER 18, 2015

Agendas for all Planning Commission meetings are posted at least 72 hours prior to the meeting at the Civic Center, 130 S. Second St., Written communications from the public for the agenda must be received by Administrative Services no less than 7 days prior to the meeting date.

Any writing or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the City Clerk's Counter. In addition, most documents will be posted on the city website at www.cityofchowchilla.org.

The City of Chowchilla complies with the Americans with Disabilities Act (ADA of 1990). The Council Chambers is accessible to the physically disabled. If you need special assistance, please call (559) 665-8615, ext. 410 at least 4 days prior to the meeting.

CALL TO ORDER

ROLL CALL

Chairman: Wayne Chapman
Vice Chair: Vander Dussen
Commissioners: Barragan, Zarucchi-Mize, Hebert, Cargill

City staff and contract employees present at the meeting will be noted in the minutes

OPEN SESSION – 7:00 PM

PLEDGE OF ALLEGIANCE:

CEREMONIAL / PRESENTATIONS – Section 1

1.1 NONE

PUBLIC ADDRESS

This time is reserved for members of the audience to address the Planning Commission on items of interest that are not on the Agenda and that are within the subject matter jurisdiction of the Planning Commission.

It is recommended that speakers limit their comments to no more than 3 minutes each and it is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Planning Commission on items on the Agenda should notify the Chairman when that Agenda item is called.

The Planning Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda. No adverse conclusions should be drawn if the Planning Commission does not respond to public comment at this time.

Speakers are asked to please use the microphone, and provide their name and address for the record. Prior to addressing the Planning Commission, any handouts are to be provided to Planning Secretary who will distribute them to the Planning Commission and the appropriate staff.

STAFF REPORTS – Section 2

2.1 STAFF REPORTS Written/Oral Reports

CONSENT CALENDAR – Section 3

All items listed under Consent Calendar are considered to be routine and will be enacted by one motion. For discussion of any Consent Item, it will be made a part of the Regular Agenda at the request of any member of the Planning Commission or any person in the audience.

- 3.1 Consideration of Planning Commission Minutes from the August 28, 2014 Special Planning Commission Meeting (correction)**
- 3.2 Consideration of Planning Commission Minutes June 17, 2015 Regular Planning Commission Meeting**

PUBLIC HEARINGS – Section 4

- 4.1 Consideration of Granting Variance NO. 15-0015 to allow a five foot rear yard setback for an Activities Center on lot 43 of tract NO. 04-0028 with the findings listed in the resolution.**

DEFERRED BUSINESS – Section 5

- 5.1 NONE**

NEW BUSINESS – Section 6

- 6.1 NONE**

ANNOUNCEMENTS – Section 7

- ❖ Next Planning Commission Meeting is scheduled for December 16, 2015

ADJOURNMENT

PUBLIC NOTIFICATION

I, Janene Hicks, Planning Secretary for the City of Chowchilla, declare under penalty of perjury that I posted the above Planning Commission Agenda for the meeting of November 18, 2015 at the Chowchilla Civic Center, 130 S Second Street on November 9, 2015 at 11:00 am.



Janene Hicks
Planning Secretary



August 28, 2014 MINUTES
Special Planning Commission Meeting
130 S. Second Street, Civic Center Plaza

CALL TO ORDER: 7:02

ROLL CALL: Chairman: Ahmed
Commissioners: Chapman, Barragan, Weidert, Zarucchi-Mize

ABSENT: Vice-Chair: Vander Dussen

City Staff Present: Director Ralph Kachadourian, Planning Secretary Janene Hicks

PLEDGE OF ALLEGIANCE: was led by Chairman Ahmed

1. **PUBLIC ADDRESS** No one spoke

2. **CEREMONIAL/PRESENTATIONS**

Swearing-in Commissioner Rhonda Cargill

3. **CONSENT CALENDAR**

3.0 Approval of Minutes for the June 18, 2014 Planning Commission Meeting

Motion by Commissioner Chapman, second by Commissioner Weidert to approve the minutes of the June 18, 2014 meeting. Motion passed by voice vote, with Vice Chair Vander Dussen absent.

4. **CONTINUED BUSINESS – NONE**

5. **NEW BUSINESS / PUBLIC HEARING**

5.1 **Consideration of Conditional Use Permit # 14-0009;** for the establishment and operation of a storage and distribution facility for manufactured pre-cast concrete products with on-site security for J&R Concrete Products, Inc.

Chair Ahmed opened the public hearing to accept testimony regarding the Conditional Use Permit # 14-0009.

Mr. Ramirez spoke

Public Hearing Closed

Motion by Commissioner Weidert, second by Commissioner Chapman to approve the Conditional Use Permit #14-0009 for establishment and operation of a storage and distribution facility J&R Concrete Products, Inc. Motion passed by voice vote, with Vice Chair Vander Dussen absent.

6. **OLD BUSINESS - NONE**

7. **STAFF REPORTS** - Update on Community and Economic Development activities.

Director Kachadourian gave the Commission updates on projects.

8. **ANNOUNCEMENTS**

- Next Planning Commission Meeting is scheduled for September 17, 2014

9. **ADJOURNMENT**

Motion by Commissioner Barragan, second by Commissioner Zarucchi-Mize to adjourn the August 28, 2014 Special Planning Commission Meeting. Motion passed by voice vote.

ATTEST:

APPROVED:

Janene Hicks, Planning Secretary

Chair



June 17, 2015 Minutes
Planning Commission Meeting
130 South Second Street, Civic Center Plaza

CALL TO ORDER: 7:02 PM

ROLL CALL: Chair: Chapman
Vice Chair: Vander Dussen
Commissioners: Weidert, Barragan, Hebert, Cargill

ABSENT: Zarucchi-Mize

**CITY STAFF PRESENT: City Administrator, Haddix; Director of Public Works, Locke;
Senior Planner, Perkins; Planning Secretary, Hicks**

PLEDGE OF ALLEGIANCE: led by Chair Chapman

1. PUBLIC ADDRESS - NONE

2. CEREMONIAL/PRESENTATIONS

Introductions were given by the New City Administrator Brian Haddix; Public Works Director Craig Locke, and Senior Planner Richard Perkins.

3. CONSENT CALENDAR

3.0 Approval of Minutes for the August 28, 2014 Special Planning Commission Meeting

There was an error in the minutes for the August 28, 2014 Special Planning Commission Meeting that will be corrected and brought back at the next Planning Commission Meeting.

4. CONTINUED BUSINESS – NONE

5. **NEW BUSINESS / PUBLIC HEARING**

5.1 Nominations for 2015 Planning Chair

Motion by Commissioner Hebert, second by Commissioner Barragan to nominate Commissioner Chapman for Planning Commission Chair. Motion passed unanimously with Commissioner Zarucchi-Mize absent.

5.2 Nominations for 2015 Planning Vice Chair

Motion by Commissioner Weidert, second by Commissioner Hebert to nominate Commissioner Vander Dussen for Vice Chair. Motion passed unanimously with Commissioner Zarucchi-Mize absent.

5.3 **Consideration of Conditional Use Permit No. 15-0007** to allow an outdoor tank storage facility on 2.13 acres on the east side of Commerce Dr., across from the Snyder California Container facility located at 800 Commerce Dr.

Motion by Commissioner Cargill, second by Commissioner Weidert to approve CUP No. 15-0007 with condition #6 to be removed. Motion passed unanimously with Commissioner Zarucchi-Mize absent.

6. **OLD BUSINESS - NONE**

7. **STAFF REPORTS - NONE**

8. **ANNOUNCEMENTS**

- Next Planning Commission Meeting is scheduled for July 15, 2015

9. **ADJOURNMENT**

Motion by Commissioner Weidert, second by Commissioner Hebert to adjourn the June 17, 2015 Planning Commission Meeting at 7:38pm. Motion passed unanimously with Commissioner Zarucchi-Mize absent.

ATTEST:

APPROVED:

Janene Hicks, Planning Commission Secretary

Chair



ITEM # 4.6

STAFF REPORT TO THE PLANNING COMMISSION

Commission Meeting of November 18, 2015

Agenda Section: Public Hearings

Item: Variance No. 15-0015

Prepared By: Richard Perkins, Senior Planner

Applicant: Martin Boone

**Location: Lot 43 of Tract No. 04-0028, Greenhills Subdivision Village East
Recreational Vehicle Park**

Current Zoning: C-3, General and Service Commercial District

Assessors Parcel No: APN 014-241-043

HISTORY / BACKGROUND:

On July 14, 2015, the Chowchilla City Council approved an amendment to the Conditions of Approval of Tract No. 04-0028 to allow development of the subject property for an additional common use activity facility to serve the users of the recreational vehicle park. The growth in the number of visitors of the park had limited the ability to adequately serve the users with the existing facilities. The property is subject to the yard requirements of the C-3 Zone District which normally requires a five foot rear yard setback. However, when a lot abuts a boundary of any lot in a residential district, as in this case, a minimum 10 foot rear yard setback is required.

ZONING ORDINANCE PROVISIONS FOR VARIANCES

Pursuant to Zoning Ordinance Section 18.81.160 the Commission must make all of four findings before granting a variance.

- A. *That because of special circumstances applicable to the subject property, including the size, shape, topography, location or surroundings (but not including monetary hardship), the strict application of the provisions of this title deprives*

the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning district classification.

The applicant indicates that subject property has an unusual shape and that the size of the building necessitates a reduced rear yard. As shown on the site plan, the dimensions of the lot are reduced from 45 feet on the north side to 3.43 feet on the south side. The configuration is due to the curvature of Street A, which provides access to the lot and terminates at the southern boundary of the subdivision. To provide adequate building area for the proposed building, the odd shape of the lot would provide a basis for the Commission to make the first finding.

B. That the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity or district in which the property is located.

The subject property abuts a lot in the residential subdivision to the east. This lot is 20 feet in width and is used as an easement for both ingress and egress and for landscaping and public utilities. A potential impact to adjoining property owners could result from the noise associated with the use of the building as an activities center for the park users. However, potential noise impacts would be reduced given that development of the property would result in a 25 foot buffer between the proposed activities center and the nearest residence. Further, there is a six foot wall along the common property line that could provide added noise attenuation. Given these facts, approval of the variance would not be materially detrimental to the public welfare, or injurious to the property and improvements in the vicinity of the subject property.

C. The granting of the variance will not adversely affect the Chowchilla general plan, any adopted specific plan, or the purposes of this Title. (the Zoning Ordinance)

As noted above, the variance would allow a reduced rear yard setback. General Plan policies do not address this property development standard. If approved, the Commission would find that the variance will not adversely affect the purposes of the Zoning Ordinance.

D. That any conditions established by the commission for the variance are deemed necessary to protect the public health, safety and general welfare.

This finding depends on the kinds of conditions the Commission may place on the project.

ENVIRONMENTAL REVIEW

Setback variances not resulting in the creation of any new parcel are categorically exempt under Class 5, Minor Alterations in Land Use Limitations, in Section 15305 of the California Environmental Quality Act guidelines.

STAFF RECOMMENDATION

Staff believes the required findings can be made and recommends approval of Variance Application No-15-0015, subject to the following conditions:

1. Development of the site shall be in accordance with the approved Site Plan.
2. A Site Plan Review Application shall be submitted and approved and all conditions, if any, complied with.

3. Plans and permits shall be approved/issued for construction of the proposed activities room.

ATTACHMENTS

- A Site Plan
- B Location Map
- C The applicant's letter stating his reasons for requesting the five foot yard setback

PLANNING COMMISSION ACTION

The Commission will be considering the circumstances and findings that are required for approval of a variance.

MOTION 1A

MOVE TO ADOPT PLANNING COMMISSION RESOLUTION _____ GRANTING VARIANCE NO. 15-0015 TO ALLOW A FIVE FOOT REAR YARD SETBACK SUBJECT TO THE CONDITIONS LISTED IN THE RESOLUTION.

or

MOTION 1B

MOVE TO ADOPT RESOLUTION NO. _____ DENYING VARIANCE NO. 15-0015 TO ALLOW A FIVE FOOT REAR YARD SETBACK WITH THE FINDING THAT THE STIPULATED FINDINGS CAN NOT BE MADE FOR THE GRANTING OF THE VARIANCE AND THERE IS NOTHING UNUSUAL ABOUT THE PROPERTY THAT MAKES IT DIFFERENT FROM OTHER C-3 ZONED PARCELS IN THE CITY TO WARRANT THE GRANTING OF THE VARIANCE (or stipulate other findings.)

PLANNING COMMISSION RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CHOWCHILLA GRANTING VARIANCE NO. 15-0015 TO ALLOW A FIVE FOOT REAR YARD SETBACK FOR AN ACTIVITIES CENTER ON LOT 43 OF TRACT NO. 04-0028 WITH THE FINDINGS LISTED IN THE RESOLUTION.

WHEREAS, an application has been submitted and processed for a variance to allow a five foot rear yard setback for an activities room to be constructed on Lot 43 of Tract No. 04-0028, Greenhills Subdivision Village East Recreational Vehicle Park in the C-3 General and Service Commercial District; and

WHEREAS, a Public Hearing was duly noticed for the November 18, 2015 Planning Commission meeting; and,

WHEREAS, the minimum rear yard setback in the C-3 Zone District is 10 feet when abutting a residential district; and

WHEREAS, the Planning Commission has carefully considered the staff report, recommendations and all oral and written evidence presented during the public hearing; and

WHEREAS, as special circumstances are applicable to the subject property due to its odd shape due to the curvature of Street A which reduces the depth of the lot from 45 feet to 3.43 feet; and

WHEREAS, the granting of the variance will not be detrimental to the public welfare or injurious to the property and improvements; and

WHEREAS, the use will be consistent with the General Plan and its policies and objectives; and

NOW, THEREFORE, the Planning Commission of the City of Chowchilla does hereby resolve to approve Variance Application No. 15-0015 to allow a five foot rear yard setback on Lot 43.

Ayes:

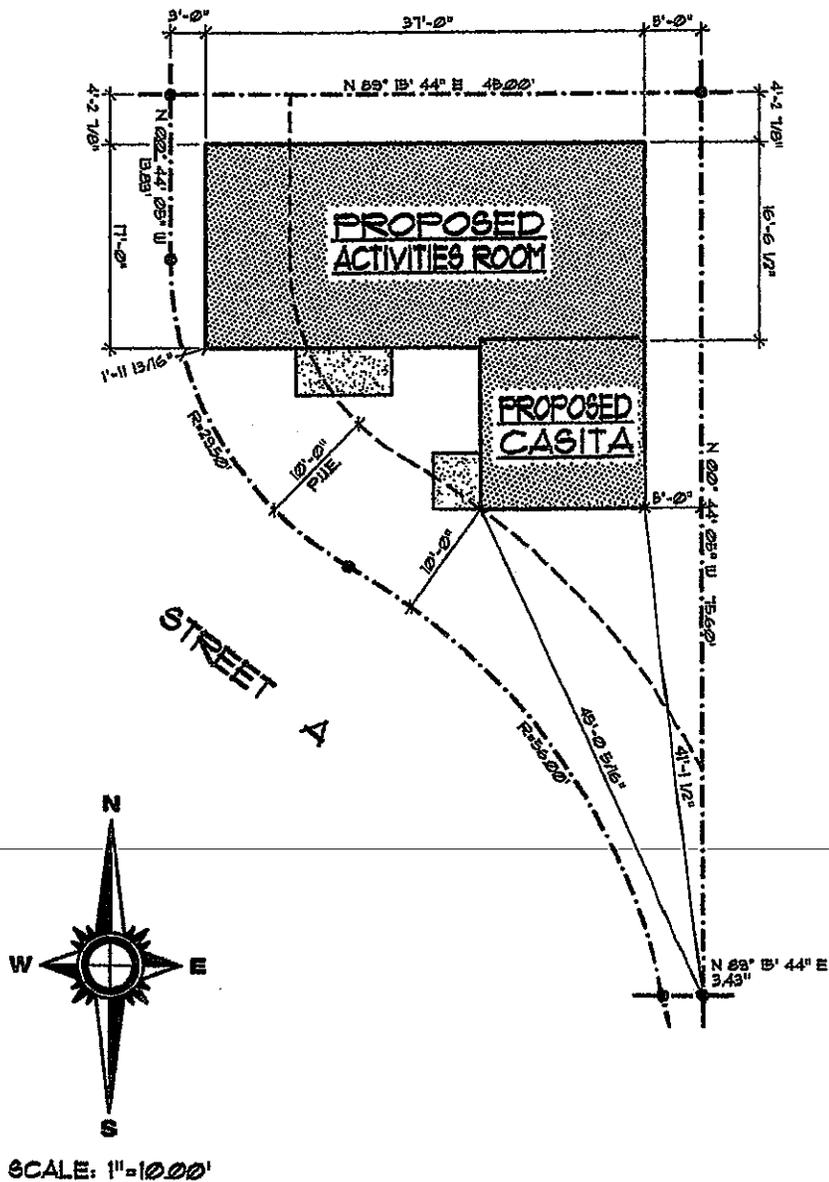
Noes:

Absent:

Chairman

Attest: _____
Secretary

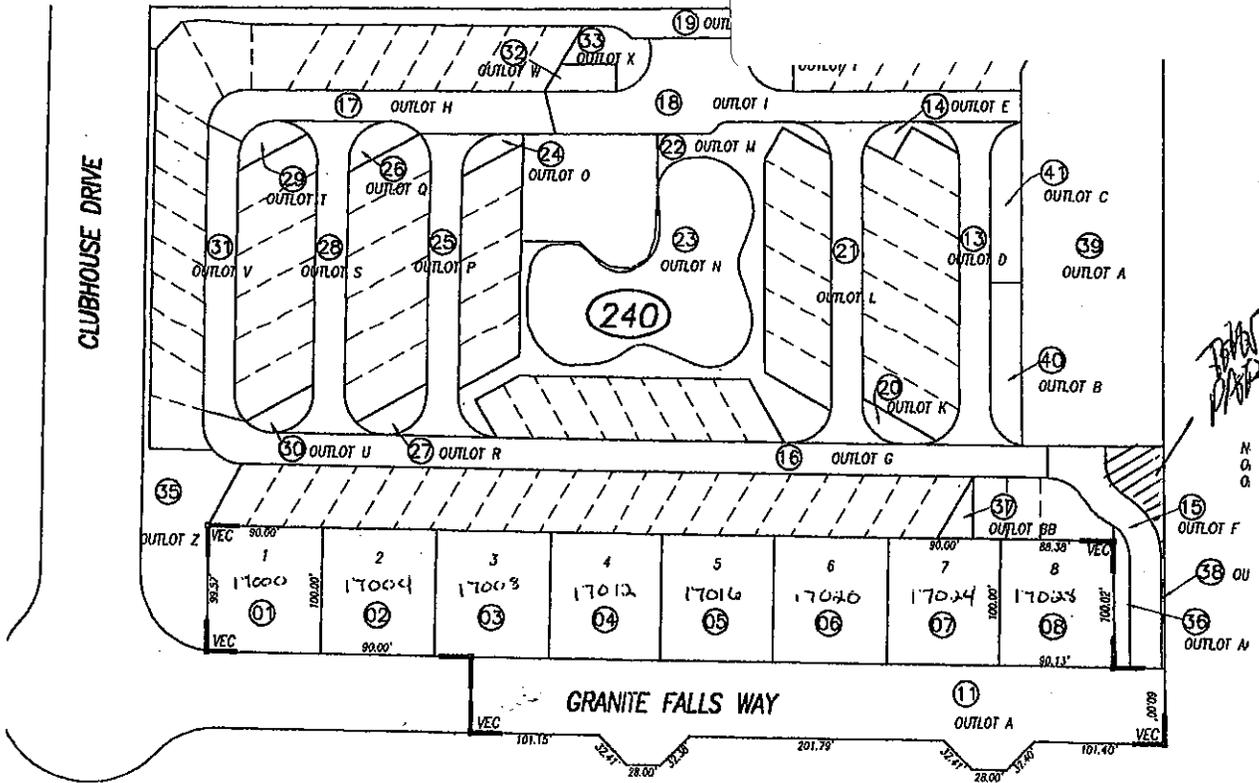
ATTACHMENT "A"



LOT 43
THE LAKES RV & GOLF RESORT
2128.90 SQUARE FEET

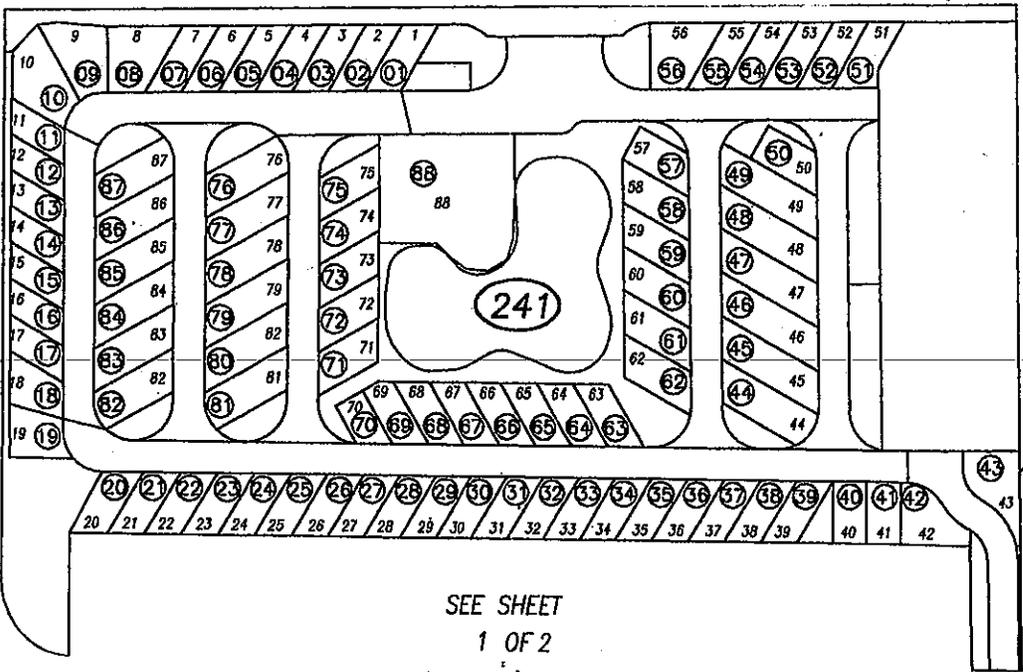
SITE PLAN

SCALE: 1"=1000'



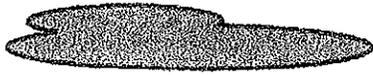
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SEE SHEET
1 OF 2

The Lakes 
 **RV & GOLF RESORT**
5001 E. Robertson Blvd. Chowchilla, CA 93610 (866) 665-6980

City of Chowchilla
130 S. Second Street
Civic Center Plaza
Chowchilla, CA 93610

RE: Variance Request for Lot 43, The Lakes RV & Golf Resort

History/Background

On July 14, 2015, The City Council reviewed and approved a request to amend the conditions of approval for Subdivision Map number 04.0028, Greenhills Subdivision Village East Recreational Vehicle Park. (See attached request)

Request for Variance

Request made due to the growth in the use of the park. The park had limited ability to provide additional amenities necessary to adequately serve the visitors. As reviewed and approved at the July 14, 2015 City Council Meeting, Lot 43 was designated for this use. Due to the unusual shape of the lot and the size of the building we need to have a 5' rear setback. The reason we choose this lot and location of the building was that the rear of this lot has a 25' future cart path area between the park location and Greenhills Subdivision to the east. We have included maps and drawings for your review.

Sincerely,



William P. Davis
President
The Lakes RV Park Owners Association