



PLANNING COMMISSION REGULAR MEETING AGENDA

Monday, February 12, 2024 at 6:00 PM

Kerman City Hall, 850 S. Madera Avenue, Kerman, CA 93630

Para asistencia en Español sobre este aviso, por favor llame al 559-846-9386.

1. OPENING CEREMONIES

- A. Call to Order - **6:01 PM**
- B. Roll Call

Present: S. Bishop, K. Nehring, R. Felker, C. Molloy, R. Bandy

Absent: None

- C. Pledge of Allegiance - **Performed**
- D. Introduction of Staff

Staff present: Jesus Orozco, Recording Secretary and Community Development Director; John Jansons, City Manager; Manuel Campos, Assistant Planner

2. AGENDA APPROVAL / ADDITIONS / DELETIONS

To accommodate members of the public or convenience, items on the agenda may not be presented or acted upon in the order listed.

Commissioner motioned to approve K. Nehring and seconded by Commissioner C. Molloy.

Yes: S. Bishop, K Nehring, R Felker, C. Molloy, R. Bandy (5, 0)

No: None

3. PRESENTATIONS / CEREMONIAL MATTERS

NONE

4. REQUEST TO ADDRESS COMMISSION

This portion of the meeting is reserved for members of the public to address the Commission on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Commission. Speakers shall be limited to three minutes. It is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Commission on items on the Agenda should notify the Chairperson when that Agenda item is called, and the Chairperson will recognize your discussion at that time. It should be noted that the Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda. Speakers are asked to please use the microphone, and provide their name and address.

NONE

5. CONSENT AGENDA

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Commission Member may request an item be removed from the Consent Calendar and it will be considered separately.

- A. SUBJECT: Minutes February 12, 2024.

Commissioner C. Molloy motioned to approve the minutes and seconded by Commissioner K. Nehring.

Yes: S. Bishop, K Nehring, R. Felker, C. Molloy, R. Bandy (5, 0)

No: None

6. PUBLIC HEARINGS

- A. **SUBJECT:** Public hearing regarding a modification to Conditional Use Permit 2023-05 proposing an increase of outdoor dining seating at 15243 W. Whitesbridge Rd and a modification to Conditional Use Permit 2023-06 proposing an increase of outdoor dining seating at 15215 W. Whitesbridge Rd

RECOMMENDATION:

- 1) Adopt a finding of a Class 3 Categorical Exemption (New Construction or Conversion of Small Structures) pursuant to CEQA Guidelines Section 15303.; and
- 2) Adopt a resolution approving a modification to Conditional Use Permit 2023-05 to allow for an increase of outdoor dining seating for Starbucks Coffee Company located at 15243 W. Whitesbridge Rd.; and
- 3) Adopt a resolution approving a modification to Conditional Use Permit 2023-06 to allow for an increase of outdoor dining seating for Chipotle Mexican Grill, Inc. located at 15215 W. Whitesbridge Rd.

Chairperson Bishop opened the public hearing at 6:04 p.m. Manuel Campos, Assistant Planner, presented the item consistent with the staff report.

Chairperson Bishop asked if there were any members of the public wishing to comment on the item. No comments from the public.

Commissioner Bishop asked for the applicant who was present, Shay Bakman presented himself. Commissioner asked if he is in agreement with the conditions of approval as presented. Mr. Bakman stated yes.

Chairperson Bishop closed the hearing at 6:10 p.m.

Commissioner R. Felker motioned to approve and seconded by Commissioner K. Nehring for 1, 2, and 3 adoptions.

Yes: S. Bishop, K Nehring, R. Felker, C. Molloy, R. Bandy (5, 0)

No: None

B. SUBJECT: Public hearing regarding Conditional Use Permit 2024-01 to allow for the installation of a mural at the Valley West Properties building located at 681 S. Madera Ave., including adopting a finding of a Categorical Exemption for the Project. (JRO)

Recommendation: Commission conduct a public hearing, deliberate, and by motion adopt a resolution approving Conditional Use Permit 2024-01 to allow for the installation of a mural at the Valley West Properties building located at 681 S. Madera Ave., including adopting a finding of a Categorical Exemption for the Project pursuant to Sections 15301 and 15311 of the CEQA guidelines.

Commissioner Bishop opened the public hearing at 6:18 p.m. Jesus Orozco, Community Development Director, presented the item consistent with the staff report.

Chairperson Bishop opened up for questions to Mr. Jesus Orozco.

Commissioner Felker asked how many more murals do we plan in putting up? Jesus responded with, this is one of two as part of this grant or program. There may be an opportunity of others. Again it come down to property interest, and funding, if the site is a good fit. Commissioner Felker stated Bank of America has a blank wall.

Commissioner Felker was curious asked why does the city have to have a Conditional Use Permit when were are going to beautify with? Jesus responded it comes strickly from the Zoning Code. The Sign Ordinance does not have specifics as to what the mural can and cannot look like, however, the size is adequate, the types of elements and its location. The City would not be to pleased with antisemetics elements especially when using the city funds.

Commissioner _____ inaudible.

Jesus responded that is part of the community outreach component and to get input from the community members. Since the property owner ultimately allowing the City to install the mural they has heavy input, as well as, city staff. The staff is concerned with not encroaching on 1st amendment rights. It's a collective and include everyone's input.

Commissioner _____ inaudible.

Mr. Orozco responded with staff has sent out via email, electronic surveys for individuals.

Commissioner C. Molley responded, there has been several community meetings over the past year, so there has been several displays setup that we can vote, there has been emails and google forms send out. I hear Commissioner Nehring with, are we reaching the diversity of our community because we have a very diverse community. I know that outreach is there cause I've received it, I've been to the meetings but are we reaching everybody. I don't what the email looks

like, I don't know if its was given to certain individuals have given their emails. I kind of echo that same concern. inaudible.

Mr. Orozco responded email list is quite broad with 40 to 50 emails. The purpose of tonight were are only approving the location of the mural. I certainly agree with both Commissioners. We certainly work with Parks and Rec Commission, Historical Society, so forth, to get more input. Everyone's interest are clearly considered.

Chairperson Bishop is the property owner present. Mr.Orozco responded was invited and they submitted an email and stated they could not attend. Mr. Orozco did get a verbal confirmation and email that they are in agreement with the mural program and the concept. The applicant would be the City Manager. Chairperson Bishop asking are they ok with the agreement section and Mr. Orozco stated he has gone over it.

Chairperson Bishop closed the public hearing at 6:24 p.m.

Commissioner K. Nehring motioned to approve and seconded by Commissioner C. Molley.

Yes: S. Bishop, K Nehring, R. Felker, C. Molloy, R. Bandy (5, 0)

No: None

C. SUBJECT: Public hearing regarding Conditional Use Permit 2024-02 to allow for the installation of a mural at La Ramada Restaurant located at 602 S. Madera Ave., including adopting a finding of a Categorical Exemption for the Project. (JRO)

RECOMMENDATION: Commission conduct a public hearing, deliberate, and by motion adopt a resolution approving Conditional Use Permit 2024-02 to allow for the installation of a mural at the La Ramada Restaurant located at 602 S. Madera Ave., including adopting a finding of a Categorical Exemption for the Project pursuant to Sections 15301 and 15311 of the CEQA guidelines.

Chairperson Bishop opens the public hearing at 6:25 p.m. Mr. Jesus Orozco presented the item consistent with the staff report.

Commissioner Felker asked if the stand alone wall was already in place. Mr. Orozco responded to yes.

Commissioner inaudible

Commissioner Molloy asked if both the murals are stand alone or is the other on the actual wall. Mr. Orozco responds the other mural will be on actual building wall.

Chairperson Bishop asked if property owner was in attendance. Mr. Eloy Coronado from La Ramada was in attendnace. Public comment inaudible.

Jesus responded it is the City's intent ensure to retain control and the maintenance for the mural.

Public comment inaudible.

City Manager John Jansons commented the mural was installed 2021 in honor of the 75th Anniversary of the City's incorporation. There in a similar way we have a license agreement with Sebastian Telephone Company to use the wall. There was no cost to the building owner or the

maintenance or upkeep of it. It would be same with you. If you wanted to expand the building and blow out the wall and add square footage or the next owner comes along wants to knock the building down, that why we panelize the mural. So that way it can be removed and be installed somewhere else rather than lose in its entirety. Somebody takes control over the building but they don't like the mural and takes a roller to paint over the mural.

Inaudible _____

Commissioner Molly commented it's on the side of the gym and they recently repainted the mural in the last 5 years. I think its the same person commissioned to do the two murals at the end of town. They did a nice job and haven't had much maintenance.

Comment inaudible _____

Mr. Orozco responded as far as staff can tell its actually on property line. Again, the whole purpose behind the license agreement on the maintenance and access to it. The approval is allow on that specific wall which the Conditional Use Permit within its conditions it has to be on that specific wall.

Comment inaudible _____

Commissioner Molloy commented that that the muralist is the same muralist who painted the High School's mural.

Mr. Orozco responded that is the concept, that's not the final. Again, once we have approval, the staff can meet the selective muralist and property owners in concurrence with community input and have a final design.

Chairperson Bishop commented so they will be involved with actual art work that going up.

Mr. Orozco responded with correct.

Chairperson Bishop asked the property owner if he is an agreement with conditions of approval as you presented by the City of Kerman and owner responded yes.

Property Owner, siad yes.

Chairperson Bishop closed the public hearing at 6:33 p.m.

Commissioner R. Felker motioned to approve and seconded by Commissioner K. Nehring.

Yes: S. Bishop, K Nehring, R. Felker, C. Molloy, R. Bandy (5, 0)

No: None

7. PETITIONS / RESOLUTIONS

NONE

8. ADMINISTRATIVE REPORTS

NONE

9. COMMUNICATIONS

Jesus commented Zoning Code is now final and published on the city's website. The 30-day review public period concludes, I would like to survey you to see availability or maybe cancelling the March meeting schedule and possibly doing a special meeting the following week. The 30 waiting

period would give staff a day to prepare, oppose to March 11 would Commissioners be available 18th for a special meeting. Next meeting will be on March 18, 2024.

The Planning Commission academy is next month, for Commissioner Molloy, if available. If not available, it will be March 6 through 8th in Long Beach. The city pays for all, registration and hotel.

Parks and Recreation has two vacancies, commissioner vacancies. If anyone is interested, the deadline is Wednesday March 15, 2024.

The house at 14860 W California Ave has been sold and blue garage demolished.

John Jansons, City Manager commented on Saturday, February 3, the Council meet on goal setting and prioritization workshop and with senior staff. Spent time on achievements from last year and projects going forward this year. There are quite a bit of ambitious and large-scale capital improvement projects, including Heart Ranch Park, the police station, multi-generational senior center, the downtown revitalization efforts, and the Clean California grant.

Mr. Jansons further stated during the meeting a façade improvement program for the downtown businesses and building along Madera. The Clean California Beautification grant feeds that effort and provides the initial impetus to beautify the corridor through public improvements. The murals, benches and new landscaping that will draw potential for private property owners to invest in their building. We may have to come up with a creative way to simple "Paint the Town program". The comment through Mr. Felker about the awnings that is being handled through Code Enforcement and property maintenance angle.

We are looking for initiatives where we can collaborate with organizations that can provide financial literacy. To young people and residents to assist in loan applications.

This past Friday, Congressman John Duarte and staff members wanting to sit down with Kerman on what are needs and concerns are.

Zoning codes is now complete and going through public review. John praised Jesus Orozco for his work of 2 years on this project.

Buttonwillow Chemical scheduled an open house on February 29 and John has extended an invitation and will email the flyer to the Planning Commission.

Chairperson Bishop asked John Jansons about obtaining grants for the business owners. John stated the building owners must be involved for any improvements.

Next Council meeting is on February 14, 2024.

10. ADJOURNMENT

Meeting was adjourned at 6:46 PM.

NOTICE OF AVAILABILITY OF AGENDA MATERIALS: Any writings or documents provided to a majority of the Commission within 72 hours of the meeting regarding any item on this agenda will be made available for public inspection at the Community Development Department located at 850 S. Madera Ave., Kerman, CA 93630 and on the City website at www.cityofkerman.net

Para asistencia en Español sobre este aviso, por favor llame al 559-846-9386.

In compliance with the American with Disabilities Act (ADA), if you need special assistance to participate at this meeting, please contact the Planning Commission Secretary at (559) 842-2301. Notification of 48 hours prior to the meeting will enable the Planning Commission Secretary to make reasonable

arrangements to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically handicapped.

AGENDA POSTING CERTIFICATION

I, Jesus R. Orozco, Community Development Director for the City of Kerman, do hereby declare under penalty of perjury that I caused the above agenda to be posted at City of Kerman Council Chambers, at 850 S. Madera Avenue, Kerman, CA 93630 and on the City website at www.cityofkerman.net.

Date: February 12, 2034 /s/ Jesus R. Orozco, Community Development Director

Attest:

Jesus R. Orozco, Recording Secretary

Date