



PLANNING COMMISSION REGULAR MEETING AGENDA

Monday, September 11, 2023 at 6:00 PM

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

1. OPENING CEREMONIES

A. Call to Order – 6:02 PM

B. Roll Call

Present: R. Bandy, R. Felker, C. Molloy, V. Villar, K. Nehring

Absent: S. Bishop, M. Nunez

C. Pledge of Allegiance- Performed

D. Introduction of Staff

Staff present: Ruth Padilla, Recording Secretary; Manuel Campos, Assistant Planner; Jesus Orozco, Community Development Director; John Jansons, City Manager; Steve Wilkins, Chief of Police

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 Molloy motioned to approve and seconded by Commissioner Villar.

Yes: Robert Bandy, Robert Felker, Cory Molloy, Mario Nunez, Kevin Nehring (5, 0)

Noes: 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.

No public comment

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 August 14, 2023

RECOMMENDATION: Planning Commission approve minutes as presented.

Motioned to approve by Commissioner Molloy and seconded by Commissioner Bandy

Yes: Robert Bandy, Cory Molloy, Victor Villar, Kevin Nehring, Robert Felker (5, 0)

Noes: None

6. PUBLIC HEARINGS

A. **SUBJECT:** Public hearing regarding Conditional Use Permit 2023-10 to bring the existing residential dwelling unit and recreational vehicle storage at a mini-warehouse facility into conformance with current zoning requirements for the property located at 14750 W. Whitesbridge Rd., including adopting a finding of a Categorical Exemption pursuant to Section 15301 of the CEQA Guidelines. (MC)

RECOMMENDATION: Planning Commission conduct a public hearing, deliberate, and by motion adopt a resolution approving Conditional Use Permit 2023-10 to bring the existing residential dwelling unit and recreational vehicle storage at a mini-warehouse facility into conformance with current zoning requirements for the property located at 14750 W. Whitesbridge Rd., including adopting a finding of a Categorical Exemption pursuant to Section 15301 of the CEQA Guidelines.

Assistant Planner M. Campos presented the item. Commissioner R. Bandy asked if there were going to be any more growth onto the property. Applicant Justin Vlotho stated that there is a phase 4 and phase 5 planned on the property but doubts that they would get to phase 5. Commissioner Molloy asked if there were residents living in the RV's, Mr. Vlotho stated "no" this area is simply for storing RV's, boats and vehicles. Commissioner Felker asked if the rain had flooded them last year and Debra Wingel, Store Manager stated that they had no issues with flooding. Commissioner Nehring closed the hearing at 6:20pm.

Motioned to approve by Commissioner Felker and seconded by Commissioner Molloy

Yes: Robert Bandy, Cory Molloy, Victor Villar, Kevin Nehring, Robert Felker (5, 0)

Noes: None

B. **SUBJECT:** Public hearing regarding Conditional Use Permit 2023-11 to allow for the operation of outdoor grilling activities and to memorialize the existing non-conforming drive-through facility for the property located at 14985 W. Whitesbridge Rd., including adopting a finding of a Categorical Exemption pursuant to Sections 15301 and 15304 of the CEQA guidelines. (MC)

RECOMMENDATION: Planning Commission conduct a public hearing, deliberate, and by motion adopt a resolution approving Conditional Use Permit 2023-11 to allow for the operation of outdoor grilling activities and to memorialize the existing non-conforming drive-through facility

for the property located at 14985 W. Whitesbridge Rd., including adopting a finding of a Categorical Exemption pursuant to Sections 15301 and 15304 of the CEQA guidelines.

Assistant Planner M. Campos presented the item. Commissioner Bandy stated that the area proposed doesn't look very nice, with people coming into Kerman. Director Orozco stated that if there was another area Commissioner Bandy would like to have the grilling area moved to they would take in the suggestion and bring the item back to the Commission. Commissioner Nehring stated that this area works because it is away from the building and doesn't cause any traffic issues. Commissioner Felker asked the applicant Ahmed if he was ok with the 4 days of grilling and Ahmed agreed. Commissioner Nehring closed the hearing at 6:33pm

Motioned to approve by Commissioner Felker and seconded by Commissioner Molloy (4, 1)

Yes: R. Felker, C. Molloy, V. Villar, K. Nehring

Noes: R. Bandy

7. PETITIONS / RESOLUTIONS

- A. **SUBJECT:** A Resolution Finding the Acquisition of Real Property APN 023-204-14SU, 023-204-16SU, and 023-204-09 For a New Community Public Safety Center is in Conformance with the City of Kerman 2040 General Plan Including Adopting a Finding of an Exemption Pursuant to Section 15061(b)(3) of the CEQA Guidelines (JRO)

RECOMMENDATION: The Planning Commission adopt a resolution finding that the City's acquisition of real property identified as APN 023-204-14SU, 023-204-16SU, and 023-204-09 for a new community public safety center is in conformance with the City of Kerman 2040 General Plan, including adopting a finding of an exemption pursuant to Section 15061(b)(3) of the CEQA Guidelines

Director Orozco presented the item requesting the Commission find the acquisition of Real Properties was in conformance with the General Plan. Director Orozco stated this action was the necessary step in order for the purchase agreement of the property to move forward for the new Community Public Safety Center.

Motioned to approve by Commissioner Molloy and seconded by Commissioner Bandy (5, 0)

Yes: R. Bandy, R. Felker, C. Molloy, V. Villar, K. Nehring

Noes: None

8. ADMINISTRATIVE REPORTS

NONE

9. COMMUNICATIONS

- A. Joint Special Council - Commission Meeting

Director Orozco, requested the Commission to attend a joint Work Shop with City Council scheduled for the 27th of September, staff will presenting a 95 % zoning code update. Staff

anticipates that the commission meeting in October will be the public hearing for the zoning code and after this would go into the City Council meeting in November and final adoption in December. City Clerk anticipates for a part 2 of the “Brown Act” workshop, to follow up from the April Workshop. City Manager John Jansons encourages the commissioners to attend the meeting on the 27th there are some changes being proposed.

10. ADJOURNMENT

6:56 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

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: September 08, 2023 /s/ Jesus R. Orozco, Community Development Director

Attest:

Ruthie Padilla, Recording Secretary

Date