



PLANNING COMMISSION REGULAR MEETING AGENDA

Monday, December 11, 2023 at 6:00 PM

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

1. OPENING CEREMONIES

A. Call to Order - 6:01 PM

B. Roll Call

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

Absent: M. Nunez, V. Villar

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;

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 Felker motioned to approve and seconded by Commissioner Nehring.

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

Luis Farias from AMAROK Ultimate Perimeter Security and Armando Vasquez from JS West presented a need for the City to move forward with a permit security system. Community Development Director Orozco, reminded the Commission that this particular item is not on the

Agenda, and the Commission cannot take action on this item. Commission is more than welcome to direct staff to place this item on the Agenda for the future.

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 November 13, 2023

RECOMMENDATION: Planning Commission approve minutes as presented.

Commissioner Nehring motioned to approve and seconded by Commissioner Molloy.

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

No: None

6. PUBLIC HEARINGS

A. **SUBJECT:** Public hearing regarding Conditional Use Permit 2023-05 proposing the operation of a drive-through facility and an outdoor dining area at 15243 W. Whitesbridge Rd. and Conditional Use Permit 2023-06 proposing the operation of a drive-through facility and an outdoor dining area at 15215 W. Whitesbridge Rd. (MC)

RECOMMENDATION: The Kerman Planning Commission conduct a public hearing, deliberate, and by motion:

1) Adopt a finding of a Class 32 Categorical Exemption (In-Fill Development Project) pursuant to CEQA Guidelines Section 15332

2) Adopt a resolution approving Conditional Use Permit 2023-05 to allow for the operation of a drive-through facility and an outdoor dining area for Starbucks Coffee Company located at 15243 W. Whitesbridge Rd.; and

3) Adopt a resolution approving Conditional Use Permit 2023-06 to allow for the operation of a drive-through facility and an outdoor dining area for Chipotle Mexican Grill, Inc. located at 15215 W. Whitesbridge Rd.

Assistant Planner Manuel Campos presented the item per the staff report.

Chairperson Bishop opened up the Public hearing at 6:18 for comments from the Commission. Commissioner Molloy stated that her concerns were with the safety of the traffic. She explained that there are no street lights, no crossing guard from the nearby school as well as the foot traffic that will occur. She asked if the School District has been informed there will be very busy Commercial traffic coming to the area?

Mr. Campos responded that this project has been routed to various agencies, including the School District, Cal Trans, and the Police Dept. Their main concerns were with the intersection. Community Development Director Jesus Orozco explained that the redesign that Mr. Campos had mentioned, is the redesign requirement as part of the new school expansion

to the North side so it's not a requirement for this. The idea to redesign is called a Hawk (High Intensity Activated CrossWalk) intersection which is supposed to help slow down traffic which would address your concern with safety with the idea it's going to be a safer intersection. Commissioner Molloy asked if a light will be put in. Mr. Orozco stated he does not believe that is part of the plan.

Chairperson Bishop asked what a median island worm is. Community Development Director Orozco stated that is a turn pocket, the full design has not been fully released, and that the City Engineer has been working with Cal Trans, and the school district, to ensure that the design is actually to Cal Trans standards that's who ultimately is responsible for that.

Chairperson Bishop commented that since these two businesses are on the south side of Whitesbridge this may cut down on some of the jay walking that is going on in this area across from the McDonald's. Mr. Orozco agreed.

Commissioner Nehring commented that all improvements that are shown along Whitesbridge Road will be the responsibility of the School District. Mr. Orozco stated that yes those improvements will be the School Districts responsibility

Chairperson Bishop asked if any additional driveways will be going onto that the property other than the one going into Me & Ed's and the Apartment Complex.

Assistant Planner Campos commented that Cal Trans said there will be no more entrances will be added.

Commissioner Bandy, asked if the exists will be right turn only, or will they be able to cross the street both on Whitesbridge and First Street to make a left turn? Mr. Orozco stated that it will only be a right turn going out. He stated there may be some restrictions on First St. as well pending the site plan review process is really going to define frontage improvements for that site currently we are here to approve the CUP which is the drive through facility and the outdoor dining.

Commissioner Bandy, asked if there is a timeline for building C. Mr. Orozco stated at this time the applicant has not been identified. They are shown just for conceptual purposes. The idea is that ultimate development would include an additional building for retail purposes. Chairperson asked, if building C and the Cell tower will have to come back for further approval. Mr. Orozco explained yes, if it is subject to a Conditional Use Permit. Commissioner Felker, asked what makes a Conditional Use Permit. Mr. Orozco explained that there are certain uses within the Zoning Code that refer certain uses to the commission for action based on their sensitivity and potential impact on the site and its surrounding sites. Drive through being one again vehicle stacking being one of those factors that may impact the site or the uses around it.

Chairperson Bishop asked how tall the brick wall will be on the south side of the property that goes parallel with the apartments. Will this be tall enough to eliminate noise and lighting from the businesses. Mr. Campos responded by stating the wall be six feet tall. Mr. Orozco stated the site was designed with those concerns in mind making sure that there is significant distance from the residential use again the report is recommending adoption of the finding for a Class 32 exemption as an infill project.

Chairperson Bishop opened up for anyone who would like to comment. Commissioner Felker, asked if there is a walk up window, can you go inside and order. Mr. Campos responded by saying yes you can go in and order and dine in. Commissioner Bishop asked the applicant to state his name. Shay Bakman stated he is with Sunnyside Investments 1464 West Morris Ave. Fresno Ca. Chairperson Bishop asked Mr. Bakman if he was an agreement with the Conditions of approval as presented by the City of Kerman. Mr. Bakman stated yes he is an agreement.

Commissioner Felker motioned to approve and seconded by Commissioner Nehring.

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

No: None

7. PETITIONS / RESOLUTIONS

NONE

8. ADMINISTRATIVE REPORTS

NONE

9. COMMUNICATIONS

Community Development Director Mr. Orozco stated that this will be the last Commission of the year. Mr. Orozco thanked the Commissioners and wished them all a restful, Holiday and Merry Christmas. He stated the City has not received any comments for the Zoning Code, he asked if any Commissioners have any pending questions please let him know they can meet and discuss. He stated that he does have two USB drives as requested from last meeting if anyone needs one. The City is actively working on reviewing the Housing Element which is almost completed as well as processing for annexations at this time he has limited information pending environmental analysis. Mr. Orozco expressed he is excited for the upcoming New Year as we embark in expansion of the City.

City Manager thanked Mayor Pacheco for attendance this evening. Mr. Jansons stated that he attended Coffee with a Cop and it was a great turnout at Starbucks. City Manager Jansons expressed that there will be Chamber of Commerce Open House on Wednesday December 13th, also Shop with a Cop event will be on Tuesday December 12th which is supported by a number of very generous benefactors. Last week the City of Kerman hosted an event for Real Estate Brokers approximately 20 Brokers, representatives from Fresno Economic Development Commission which sponsored the event but the City of Kerman was honored with hosting.

10. ADJOURNMENT

Commissioner Molloy motioned to adjourn and seconded by Commissioner Nehring.

Meeting was adjourned at 6:39 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: December 08, 2023 /s/ Jesus R. Orozco, Community Development Director

Attest:

Ruthie Padilla, Recording Secretary

Date