



## PLANNING COMMISSION REGULAR MEETING AGENDA

Monday, August 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.**

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**LEVINE ACT DISCLOSURE.** Pursuant to the Levine Act (Govt Code Section 84308), any party to a permit, license, contract, or other entitlement before the Planning Commission is required to disclose on the record any campaign contribution, including aggregated contributions, of more than \$250 made by the party or the party's agents within the preceding 12 months to any City official. Participants and agents are requested to make this disclosure as well. The disclosure should be made when the agenda item is called and must include the name of the party, participant, or agent, and any other person making the contribution, the name of the recipient, the amount of the contribution, and the date the contribution was made. Commissioner Members are also required to make such disclosures and recuse themselves.

**CONFLICT OF INTEREST.** Commissioner Members with a conflict of interest under the Political Reform Act are required to disclose their financial interest when the item is called and recuse themselves.

**DISCLOSURE OF EX PARTE COMMUNICATIONS.** Commissioner Members are asked to disclose any communication they have had with applicants or members of the public regarding an item on the agenda when the item is called.

### 1. OPENING CEREMONIES

- A. Call to Order @ 6:03 P.M.
- B. Roll Call **Present: S. Bishop, K. Nehring, C. Molloy, R. Bandy**  
**Absent: R. Felker**
- C. Pledge of Allegiance **Performed**
- D. Introduction of Staff **Staff Present: Juliana Gomez, Recording Secretary; Manuel Campos, Assistant Planner; Tom Navarro, Contract Senior Planner; 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.*

**Mr. Campos asked the members of the audience if they needed translation services. One audience member raised their hand. Mr. Campos approached audience member and asked for clarification.**

**Motion to approve by Commissioner Nehring, Seconded by Commissioner Molloy**

**Approved (4,0)**

### 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 July 8, 2024

**RECOMMENDATION:** Planning Commission approve minutes as presented.

**Motion to approve by Commissioner Nehring, Seconded by Commissioner Bandy.**

**Vote: Yes (Bishop, Bandy, Molloy, Nehring) Noes: (None) final vote 4:0:0**

**Noes: NONE**

**Recusals: NONE**

#### B. **SUBJECT:** Minutes July 15, 2024

**RECOMMENDATION:** Planning Commission approve minutes as presented.

**Chairperson Bishop recuses himself due to conflict of self-interest because he lives within 500 ft. of said project (Whispering Falls).**

**Motion to approve by Commissioner Nehring, Seconded by Commissioner Molloy.**

**Vote: Yes (Bandy, Molloy, Nehring) Noes: (None) final vote 3:0:1**

**Noes: NONE**

**Recusals: S. Bishop**

### 6. PUBLIC HEARINGS

- A. **SUBJECT:** Public hearing regarding a second modification to Conditional Use Permit 2017-07 and Conditional Use Permit 2024-04 to allow for bimonthly outdoor events, karaoke in conjunction with existing alcohol sales, and outdoor grilling activities for the business located at 651 S. Madera Ave., including adopting findings of a Categorical Exemption under Sections 15301 and 15304 of the CEQA guidelines. (MC)

**Open hearing started at 6:14 p.m.**

Commissioner Malloy inquired if hours of operation will be extended. Mr. Campos clarified that karaoke will extend the hours of operation to midnight. Commissioner Malloy inquires whom the property owner is of the parking lot. Mr. Campos states the property owner of the restaurant and parking lot is the same person.

Commissioner Nehring asks if the karaoke will be inside. Mr. Campos states karaoke will be inside; outside will be for outdoor dining, music and a dance floor.

Chairperson Bishop asks applicants to come to podium. Applicant: Edwin Bonilla, 651 S. Madera Ave.

Chairperson Bishop asks how customers will be monitored between both inside and outside.

Mr. Bonilla states they have/will hire a security company.

Commissioner Molloy asks if security will also monitor the alcohol to stay on the inside.

Chairperson Bishop asks whether there will be a barrier in the outdoor parking lot.

Mr. Bonilla states they will use cones and/or tape to close off the outdoor section.

Chairperson Bishop asks whether applicant agrees with all the conditions listed.

Applicant agrees to conditions provided.

Chairperson Bishop closes meeting at 6:26 P.M.

**RECOMMENDATION:** Commission conduct a public hearing, deliberate, and by motion:

1) Adopt a resolution approving Conditional Use Permit 2017-07 MOD 2 to allow for karaoke in conjunction with existing alcohol sales for the business located at 651 S. Madera Ave., including adopting a finding of a Categorical Exemption under Section 15301 of the CEQA guidelines; and

2) Adopt a resolution approving Conditional Use Permit 2024-04 to allow for bi-monthly outdoor events and outdoor grilling activities for the business located at 651 S. Madera Ave., including adopting a finding of Categorical Exemption under Sections 15301 and 15304 of the CEQA guidelines

**Motion to approve by Commissioner Nehring, Seconded by Commissioner Bandy.**

**Vote: Yes (Bishop, Bandy, Molloy, Nehring) Noes: (None) final vote 4:0:0**

**Noes: NONE**

**Recusals: NONE**

## **7. PETITIONS / RESOLUTIONS**

**NONE**

## **8. ADMINISTRATIVE REPORTS**

**NONE**

## 9. COMMUNICATIONS

NONE

## 10. ADJOURNMENT

Motioned by Commissioner Molloy, Seconded by Chairperson Bishop.

Adjourned @ 6:28 P.M.

**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](http://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.

## MINUTES CERTIFICATION

I, Juliana Gomez, Recording Secretary for the City of Kerman, do hereby declare under penalty of perjury that the above minutes are a true depiction of all actions taken at the Planning Commission meeting held on the first date above written at Kerman City Hall, 850 S. Madera Ave, Kerman, CA.

Date: August 28, 2024      /s/ Juliana Gomez, Recording Secretary