

CITY OF MENDOTA

"Cantaloupe Center Of The World"

JUAN LUNA
Chair
ALBERT ESCOBEDO
Vice-Chair
JOSE GUTIERREZ
JONATHAN LEIVA
KEVIN ROMERO
JOSE ALONSO
Alternate Commissioner

CITY OF MENDOTA PLANNING COMMISSION AGENDA

City Council Chambers Mendota, CA 93640 REGULAR MEETING August 21, 2018 6:30 P.M. CRISTIAN GONZALEZ
Interim City Manager
Public Works/Planning Director
KARL SCHOETTLER
City Planner

The Mendota City Planning Commission welcomes you to its meetings, which are scheduled for the 3rd Tuesday every month. Your interest and participation are encouraged and appreciated. Notice is hereby given that Planning Commissioners may discuss and/or take action on any or all of the items listed on this agenda. Please turn your cell phone off. Thank you for your respect and consideration.

Any public writings distributed by the City of Mendota to at least a majority of the Planning Commission regarding any item on this regular meeting agenda will be made available at the front counter at City Hall located at 643 Quince Street Mendota, CA 93640, during normal business hours.

In compliance with the Americans with Disabilities Act, those requiring special assistance to participate at this meeting please contact the City Clerk at (559) 655-3291. Notification of at least forty-eight hours prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility to the meeting.

CALL TO ORDER

ROLL CALL

FLAG SALUTE

FINALIZE THE AGENDA

Adoption of final Agenda.

MINUTES AND NOTICE OF WAIVING OF READING

- 1. Approval of the minutes of the regular Planning Commission meeting of June 19, 2018.
- 2. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

Planning Commission Agenda

1

8/21/2018

PUBLIC HEARING

- 1. Public Hearing to adopt **Resolution No. PC 18-07**, approving Tentative Parcel Map 2018-01 (Marie Street Development, LLC).
 - a. Receive report from City Planner Schoettler
 - b. Inquiries from Planning Commissioners to staff
 - c. Chair Luna opens the public hearing
 - d. Once all comment has been received, Chair Luna closes the public hearing
 - e. Commission considers Resolution No. PC 18-07 for adoption

PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE AGENDA

The public is invited to speak to the Planning Commission at this time about any item that is not on the Agenda. Please limit your comments to five (5) minutes. Please note that the Planning Commission cannot take action on any item not listed on the agenda.

PLANNING DIRECTOR UPDATE

PLANNING COMMISSIONERS' REPORTS

ADJOURNMENT

CERTIFICATION OF POSTING

I, Celeste Cabrera, Deputy City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota Planning Commission Regular Meeting of Tuesday, August 21, 2018 was posted on the outside bulletin board of City Hall, 643 Quince Street on Friday, August 17, 2018 at 1:20 p.m.

Celeste Cabrera, Deputy City Clerk



CITY OF MENDOTA PLANNING COMMISSION MINUTES

Regular Meeting Tuesday, June 19, 2018 6:30 p.m.

Meeting called to order by Chairperson Luna at 6:30 PM.

Roll Call

Commissioners Present: Chairperson Juan Luna, Vice-Chairperson Albert

Escobedo, Commissioners Jose Alonso, Jose Gutierrez, Jonathan Leiva, and Kevin Romero.

Commissioners Absent: None.

Staff Present: Cristian Gonzalez, Planning & Public Works Director;

Matt Flood, Economic Development Manager; and

Karl Schoettler, City Planner.

Flag Salute led by Chairperson Luna.

FINALIZE THE AGENDA

Adoption of final Agenda.

A motion was made by Commissioner Escobedo to adopt the agenda, seconded by Commissioner Romero; unanimously approved (5 ayes).

MINUTES AND NOTICE OF WAIVING OF READING

1. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

A motion to approve item 1 was made by Commissioner Escobedo, seconded by Commissioner Gutierrez; unanimously approved (5 ayes).

PUBLIC HEARING

1. Public Hearing to adopt **Resolution No. PC 18-02**, approving a Mitigated Negative Declaration for the La Colonia project.

Chairperson Luna introduced the item.

At 6:35 p.m. Commissioner Gutierrez recused himself and exited the chambers, declaring he has done business with the applicant's company in a professional capacity. In that same minute, Alternate Commissioner Alonso took a seat on the dais for the conducting of business on the relevant items.

Planning & Public Works Director Gonzalez introduced the recently hired City Planner Karl Schoettler.

City Planner Schoettler described the proposal from the applicant including different components of the project, including the commercial and open space components; the application for the Planned Unit Development (PUD) overlay that will allow modified lot sizes; the size and orientation of the residential lots; the findings that the Planning Commission is required to make in order to implement the PUD overlay; the traffic circulation; utility capacity and access, including providing adequate water pressure and storm drainage; the project being included in the Community Facilities District, and the creation of a landscape and lighting district within this project; part of the project includes negotiating a renovation of the soccer field at Rojas-Pierce Park; the Development Agreement that will be considered as part of the project; the Initial Environmental Study that was prepared that determined that the projects would have no significant impacts; the study being circulated for the appropriate timeframe, with no objections received within the timeframe; an objection received after the deadline from a Native American tribe expressing their concern about the possible existence of artifacts or even burials on the site; and staff communicating with the tribe to request follow-up and invite them to the meeting, with no further response received.

Discussion was held on whether any other Native American tribes had contacted the City on the project besides the one; and other projects that may have been proposed many years ago that never came to fruition.

At 6:55 p.m. Chairperson Luna opened the hearing to the public.

Rolando Castro (315 Blanco Street) - thanked Mr. Hair for his generous donation to the Mendota Fireworks Show and for building homes in the community; and commented on his wish to make sure that this development is clean and uniform via something that home purchasers agree to when they buy the home.

Discussion was held on what measures applicant and developer Steve Hair has taken to prevent undesirable views.

At 7:03 p.m. Chairperson Luna opened the hearing to the public.

A motion was made by Commissioner Romero to adopt Resolution No. PC 18-02, seconded by Commissioner Escobedo; unanimously approved (5 ayes, absent: Gutierrez).

2. Public Hearing to adopt **Resolution No. PC 18-03**, recommending approval of General Plan Amendment 2015-01 and Zone Change 2015-01.

Chairperson Luna introduced the item and opened the public hearing at 7:04 p.m. and seeing no one interested in commenting, closed it in that same minute.

A motion was made by Vice-Chairperson Escobedo to adopt Resolution No. PC 18-03, seconded by Commissioner Leiva; unanimously approved (5 ayes, absent: Gutierrez).

3. Public Hearing to adopt **Resolution No. PC 18-04**, recommending approval of Vesting Tentative Subdivision Map 2018-01.

Chairperson Luna introduced the item and opened the public hearing at 7:05 p.m. and seeing no one interested in commenting, closed it in that same minute.

A motion was made by Commissioner Alonso to adopt Resolution No. PC 18-04, seconded by Vice-Chairperson Escobedo; unanimously approved (5 ayes, absent: Gutierrez).

4. Public Hearing to adopt **Resolution No. PC 18-05**, recommending approval of a Development Agreement for the La Colonia project.

Chairperson Luna introduced the item and opened the public hearing at 7:06 p.m. and seeing no one interested in commenting, closed it in that same minute.

A motion was made by Commissioner Alonso to adopt Resolution No. PC 18-05, seconded by Commissioner Romero; unanimously approved (5 ayes, absent: Gutierrez).

At 7:07 p.m. Commissioner Gutierrez returned to the Council Chambers and took his seat on the dais, with Commissioner Alonso ceding his place on the dais and joining the audience.

5. Public Hearing to adopt **Resolution No. PC 18-06**, recommending approval of an ordinance creating the Economic Incentive Zone Overlay District.

Chairperson Luna introduced the item and Planning & Public Works Director Gonzalez reported on the proposed Enhanced Economic Incentive Area.

Discussion was held on the absence of beautification incentives in the proposed ordinance.

At 7:10 p.m. Chairperson Luna opened the hearing to the public and seeing no one in the public interested in commenting, closed the hearing in that same minute.

A motion was made by Commissioner Romero to adopt Resolution No. PC 18-06, seconded by Commissioner Leiva; unanimously approved (5 ayes).

PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE AGENDA

None offered.

PLANNING DIRECTOR UPDATE

Planning & Public Works Director Gonzalez informed the Planning Commission on an auto parts store that wants to come to Mendota.

PLANNING COMMISSIONERS' REPORTS

Commissioner Leiva asked a question regarding the private property behind the fire department that people continue to drive through.

Discussion was held on methods to prevent access to that road.

Commissioner Romero asked about the work that will be done as part of the agreement with the developer of the La Colonia project.

Chairperson Luna talked to the Commission about behaving appropriately on social media, especially when Commissioners receive information about City business and complimented the commissioners on their work.

Commissioner Leiva commented on the dynamics of managing a group page on social media.

Discussion was held on the importance of acting civilly and professionally.

ADJOURNMENT

At the hour of 7:20 p.m. with no more business to be brought before the Planning Commission, a motion for adjournment was made by Commissioner Leiva, seconded by Commissioner Romero; unanimously approved (5 ayes).

Juan Luna, Chairperson	_
ATTEST:	
Matt Flood, City Clerk	_

DATE: August 21, 2018

TO: City of Mendota Planning Commission

FROM: Karl Schoettler, City Planning Consultant

Thru: Cristian Gonzalez, Public Works/Planning Director

SUBJECT: Parcel Map 2018-01 (Marie Street Development LLC) – a request to approve a parcel

map to establish commercial condominiums for an 14.6-acre site located at 1269 Marie Street (the east side of Marie Street, north of Belmont Avenue (Assessor Parcel Numbers 013-280-015, 013-280-022, 013-280-014, 013-280-019 and 013-280-021)).

Summary/Recommendation

The request is for a parcel map to allow the establishment of commercial condominiums at the Cannahub site at 1269 Marie Street. The condominiums would be marketed to businesses engaged in cannabis operations, consistent with the City's Cannabis Overlay zone. It is recommended that the Planning Commission conduct a public hearing and vote to approve the Parcel Map by adoption Resolution PC 18-07.

It is recommended that the Commission take the following steps to consider the project:

- 1. Ask for a report from the staff
- 2. Ask any questions of staff
- 3. Open the public hearing and receive any comments; Close the public hearing.
- 4. Final questions and discussion
- 5. Vote to approve the project

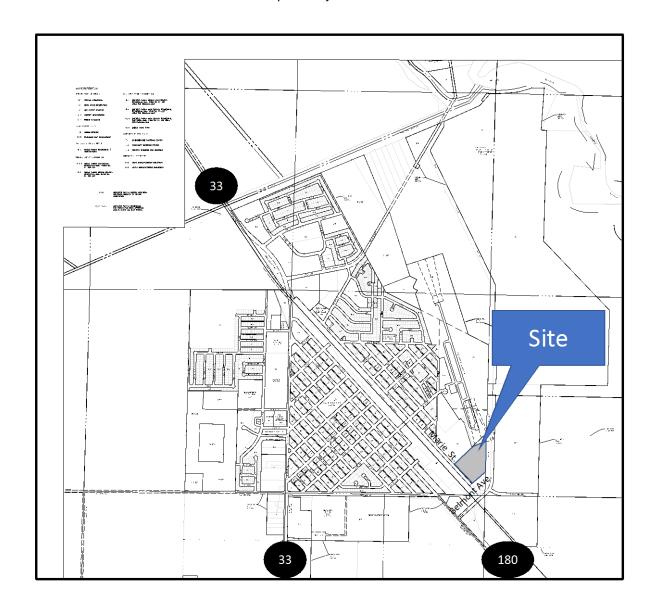
Analysis

On January 24, 2018 the Planning Commission approved the establishment of a cannabis processing facility at the former Silver Creek Packing house located at 1269 Marie Street (see Map 1 and Map 2 (aerial photo). The permit was approved in accordance with the City's new Cannabis Overlay zone, which allows the establishment of facilities involved in cultivation, processing, manufacture and testing of cannabis products, subject to operating standards in the ordinance.

The proposed Parcel map proposes establishing commercial condominiums within the facility. This will allow individual cannabis businesses to purchase space within the buildings and establish their businesses. A condominium is a legal instrument by which the purchaser buys space on a site, but the underlying site is still owned and managed by the original purchaser – in this case "Cannahub" Inc.

All of the original conditions of approval associated with the Conditional Use Permit will still be in effect and apply to operations of the site, including new businesses that may purchase a condominium. The size of individual condominiums has not yet been determined and will be based on the needs of each individual business. Sizes could range from several hundred square feet to thousands of square feet. The Subdivision Map Act allows the City Engineer to review and approve individual condominiums as they are submitted to the City.

Map 1: Project Location



Map 2: Aerial Photo



Once the Parcel Map is recorded, the City has no further involvement in the condominium process. Government Code Sections 66427(a) and (e) provide for creation of airspace condominiums without further government review, though the City will continue to review all building plans for proposed tenant improvements within the existing structure, and for any proposed additional structures on the parcels.

Conditions of Approval

Conditions that apply to the parcel map were submitted by the City Engineer and are contained in the attached Resolution. These conditions are primarily administrative in nature.

Environmental Assessment

Similar to the permit previously approved by the Planning Commission for the site, the project is considered to be a Class 32 Categorical Exemption under the Guidelines of the California Environmental Quality Act, and no further analysis is required. This exemption applies to projects on "infill" sites – sites that are substantially surrounded by existing development.

BACKGROUND INFORMATION

Applicant/: Marie Street Development LLC (Tim McGraw)

Property 2343 Filmore Street Suite 208-3336

Owner San Francisco, CA

Agent: Graylon Wright, Loder Construction Inc.

4168 Douglas Blvd., Suite 100

Granite Bay, CA

Location: The subject site includes five parcels generally located on the east side of Marie Street, north

of Belmont Avenue The Assessor Parcel Numbers are 013-280-015, 013-280-022, 013-280-

014, 013-280-019 and 013-280-021.

Request: The applicant is requesting approval of a Parcel Map to allow the establishment of

commercial condominiums at the subject site, to allow individual cannabis businesses to

purchase space at the site, to establish their operations.

Site: The site contains approximately 14.6 acres and is developed with a packing house and

associated improvements.

Zone: The site is zoned M-1 (Light Industrial). Key development standards for this zone are:

Setbacks

Front Yard: None required except 15 feet is required where the site abuts or is across a street from a

residential zone

Side Yards

<u>Interior Side Yard</u>: None required except 10 feet is required where the site abuts a residential zone.

Street side yard: None required except 15 feet is required where the site abuts a residential zone.

Rear Yard: None required except 15 feet is required where the site abuts a residential zone.

Building Height: 50 feet, maximum

Minimum Lot Area: 24,000 square feet

Parking: One space per two employees.

Note: The site is also within the Cannabis Overlay District

Surrounding zone classifications are as follows:

North: M-1 (Light Industrial)

South: M-1 West: M-1

East: M-2 (Heavy Industrial)

Note: all adjacent parcels are within the Cannabis Overlay District

General Plan: The subject site is designated "Light Industrial" by the Land Use Map of the Mendota

General Plan. The M-1 zone is consistent with this land use designation.

Land Use: The site is currently vacant. Surrounding land uses are as follows:

North: Vacant land and Mendota Airport

South: San Luis Drain, vacant land, agriculture and truck storage

East: Biomass facility

West: Railroad, sand and gravel facility

Access: Access to the site is provided by Marie Street, which is improved with one travel lane and one parking lane in each direction. This street is designated a "Collector" roadway by the Circulation Element of the Mendota General Plan.

Marie Street leads south to Belmont Avenue, which provides access west to State Highway 180. To the north, Marie leads to a number of streets that provide access to neighborhoods in the northeast part of the City. Of these, 9th Street provides access west across the railroad to Highway 180.

Infrastructure: The site is served with City water and sewer lines under Marie Street. Storm drainage to the existing development is surface drainage provided by curbs and gutters.

Services: Police protection is provided to the site by the City of Mendota. Fire protection is provided by the Fresno County Fire Protection District operating from the station on the north side of McCabe Avenue, west of Highway 33.

Environmental: The City has determined the parcel map is exempt from review for environmental impacts under Section 15332 of the California Environmental Quality Act. This exemption is for "infill" projects where the site is substantially surrounded by existing development. This exemption was also utilized for Application 17-43 for establishment of the Cannahub facility.

OF THE CITY OF MENDOTA, COUNTY OF FRESNO

RESOLUTION NO. PC 18-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENDOTA APPROVING TENTATIVE PARCEL MAP 2018-01 (MARIE STREET DEVELOPMENT, LLC)

WHEREAS, an application for a Tentative Parcel Map was submitted by Tim McGraw (Marie Street Development, LLC), 2443 Filmore Street, Suite 308-3336, San Francisco, CA 94115. The Assessor Parcel Numbers of the site are 013-280-015, 013-280-022, 013-280-014, 013-280-019 and 013-280-021.

WHEREAS, the Tentative Parcel map proposes the establishment of commercial condominiums at the site, and

WHEREAS, the Planning Commission previously approved Application No. 17-43 for the establishment of a cannabis manufacturing, processing, cultivation, testing and delivery facility at the site, subject to standards of the City of Mendota's Cannabis Overlay zone, and

WHEREAS, the Parcel Map will allow individual businesses to purchase space in the site to establish their business operations, and

WHEREAS, property owners within 300 feet of the subject site were notified of the Planning Commission's meeting and a public hearing notice was published ten (10) days prior to the Planning Commission's meeting, and

WHEREAS, the Planning Department has prepared a staff report and environmental finding, and

WHEREAS, the Planning Commission held a public hearing on this application and accepted testimony.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, after considering all the evidence presented, determined the following findings were relevant in evaluating this project:

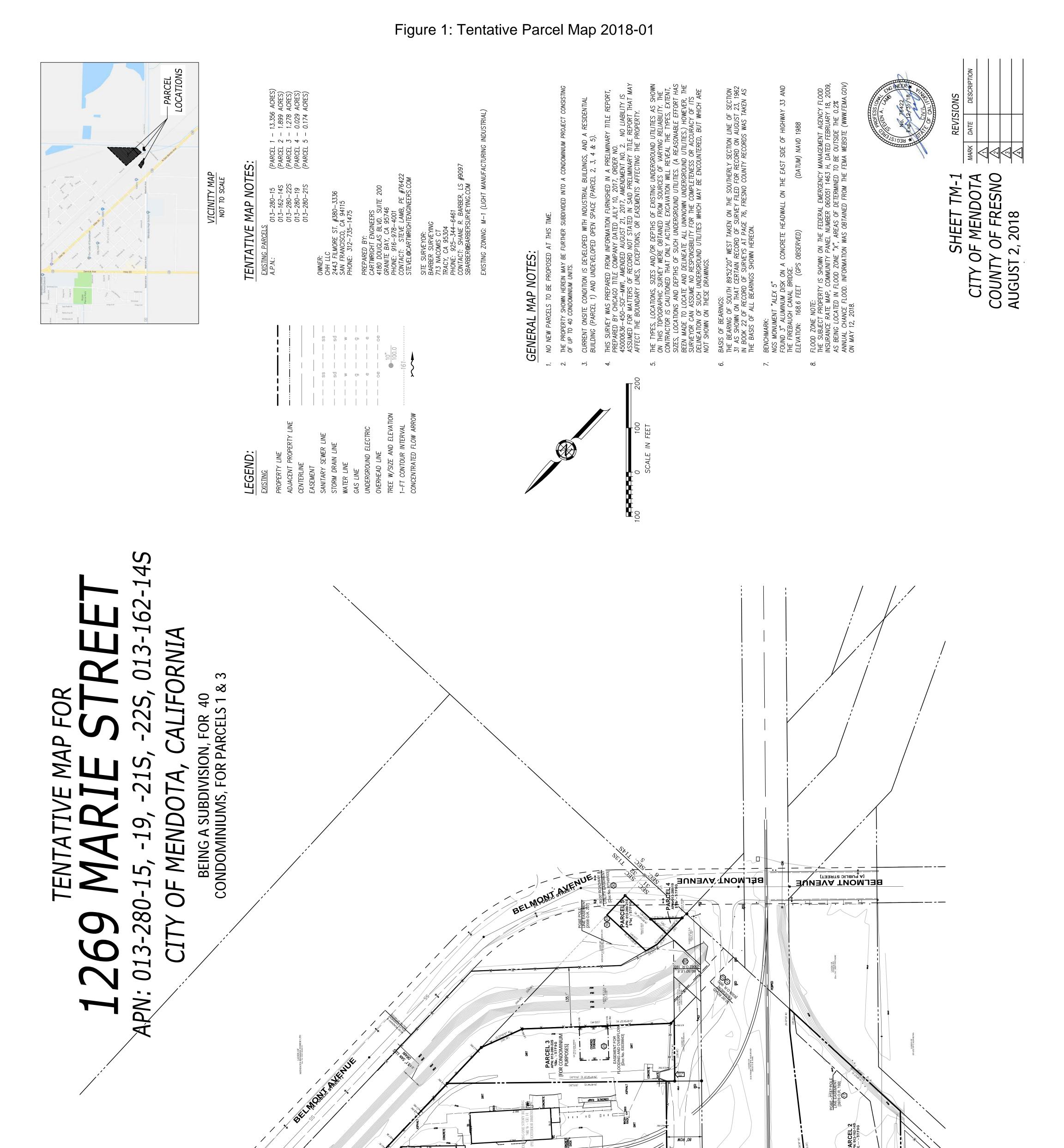
- 1. The project is consistent with the Mendota General Plan, Land Use Element and zoning of the site.
- 2. The project will not have a significant impact on the environment an is exempt from analysis under Section 15332 (Infill Projects) of the Guidelines of the California Environmental Quality Act.

3. The project will not have an adverse impact on the health, safety and welfare of residents in the neighborhood or community.

NOW, THEREFORE BE IT FURTHER RESOLVED that Tentative Parcel Map 2018-01, as shown in Figure 1, is approved subject to the following conditions:

- 1. The final Parcel Map shall be prepared in accordance with the drafting requirements set forth in Government Code Sections 66445 through 66450, and related Sections.
- 2. The Final Parcel Map shall state that it is being prepared for condominium purposes.
- 3. The Final Parcel Map shall indicate the maximum number of condominiums that may be created on each of the five proposed parcels.
- 4. The Final Parcel Map shall bear the signature of each and every party having record title interest in the underlying properties.
- 5. For any record title interest held by any form of corporate entity, the applicant shall provide to the City adequate evidence of the persons authorized to sign maps for the company. This is typically the President and Secretary of the company. Other officers and/or individuals may be authorized to sign on behalf of the company in which case copies of corporate resolutions granting such authorization shall be submitted.
- 6. For any existing deed of trust affecting all or part of the property, the map shall bear either a Trustee's Statement or a Beneficiary's Statement consenting to the map. Signature authority documentation shall be the same as the previous paragraph.
- 7. The legal descriptions of each part of the map shall be set forth, and the maps sheet shall include all relevant deed information (metes and bounds) as record information, to allow the deed to be used to identify the lands being mapped.
- 8. All infrastructure required by the CUP for the project at this address shall be constructed in accordance with the current version of the City of Mendota Standard Specifications and Standard Drawings, as well as other appurtenant state and federal agency requirements.

PASSED AND ADOPTED by the Planning Com meeting held on the 21 st of August, 2018 upo	•
	, and by the following vote:
AYES: NOES: ABSTAIN: ABSENT:	
	Juan Luna, Chair
ATTEST:	
Matt Flood, Secretary	



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PARCEL 1
APN: 013-280-15
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EXCEPTION TO PARCEL [6159 O.R. 983]

MARIE STREET

ENGINEERS 4180 Douglas Blvd. Suite 200 Granite Bay, Ca 95746 T (916) 978-4001 www.cartwrightengineers.com

Plot Date: July 09, 2018 - 1:32 pm

Login Name: stevel

XREFS: 217104—XR—TM—TB | Stamp—Steve Lamb | 217104—XR—TOPO | 217104—XR—TOPO—FIELD | 217104—XR—ALTA

File Name: U:217104-CHH-Silver Creek Mendota/CAD/Civil/_DD/Production Drawings/Z17104-DD-TM.dwg

