



CITY OF MENDOTA

“Cantaloupe Center Of The World”

ALBERT ESCOBEDO
Chairperson

JONATHAN LEIVA
Vice Chairperson

ALEX GARCIA

JOSHUA PEREZ

JESSICA SANCHEZ

JOSE GUTIERREZ
Alternate Commissioner

CITY OF MENDOTA PLANNING COMMISSION AGENDA

City Council Chambers
643 Quince Street
Mendota, CA 93640
REGULAR MEETING
November 21, 2023
6:30 P.M.

CRISTIAN GONZALEZ
City Manager
Public Works/Planning Director

JEFFREY O'NEAL
City Planner

The City of Mendota 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

1. Adjustments to Agenda
2. Adoption of final Agenda

MINUTES AND NOTICE OF WAIVING OF READING

1. Approval of the minutes of the regular Planning Commission meeting of July 18, 2023.
2. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

BUSINESS

1. Commission discussion and consideration of a determination pursuant to Government Code Section 65402 regarding abandonment of an alley related to Application No. 23-05.
 - a. *Receive report from City Planner Jeff O'Neal*
 - b. *Inquiries from Commission to staff*
 - c. *Chairperson Escobedo opens floor to receive any comment from the public*
 - d. *Commission to consider Resolution No. PC 23-01, determining that the proposed alley abandonment conforms to the 2005-2025 City of Mendota General Plan*

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.

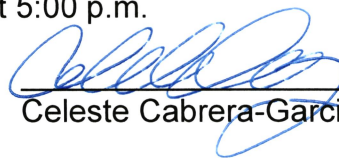
PLANNING DIRECTOR UPDATE

PLANNING COMMISSIONERS' REPORTS

ADJOURNMENT

CERTIFICATION OF POSTING

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota Planning Commission Regular Meeting of Tuesday, November 21, 2023, was posted on the outside bulletin board of City Hall, 643 Quince Street on Friday, November 17, 2023 at 5:00 p.m.



Celeste Cabrera-Garcia, City Clerk



CITY OF MENDOTA PLANNING COMMISSION MINUTES

Regular Meeting

Tuesday, July 18, 2023

6:30 p.m.

Meeting called to order by Chairperson Escobedo at 6:30 p.m.

Roll Call

Commissioners Present: Chairperson Albert Escobedo, Vice Chairperson Jonathan Leiva, Commissioners Alex Garcia, Joshua Perez, and Jessica Sanchez

Commissioners Absent: None

Staff Present: Jeffrey O'Neal, City Planner and Antonio Pizano, Deputy City Clerk

Flag Salute led by Vice Chairperson Jonathan Leiva

FINALIZE THE AGENDA

1. Adjustments to Agenda
2. Adoption of final Agenda

A motion was made by Vice Chairperson Leiva to adopt the agenda, seconded by Commissioner Perez; unanimously approved (5 ayes).

MINUTES AND NOTICE OF WAIVING OF READING

1. Approval of the minutes of the regular Planning Commission meeting of March 21, 2023.
2. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

A motion to approve items 1 and 2 was made by Commissioner Sanchez, seconded by Commissioner Perez; unanimously approved (5 ayes).

BUSINESS

1. Commission discussion and consideration of the public review draft of the Fresno County Multi-Jurisdictional Housing Element, City of Mendota Local Housing Element Section.

Chairperson Escobedo introduced the item and City Planner Jeff O'Neal provided the report.

Discussion was held on the report provided by City Planner O'Neal; on possibly having workshops to further discuss the Fresno County Multi-Jurisdictional Housing Element, City of Mendota Local Housing Element Section, and on the California Department of Housing and Community Development.

Chairperson Escobedo opened the public comment period and seeing no one willing to comment closed it within the same minute.

PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE AGENDA

None offered.

PLANNING DIRECTOR UPDATE

City Planner O'Neal provided an update on ongoing tasks and projects, including potential development at the intersection of Bass Avenue and State Highway 33, and on ongoing cannabis related projects in the City.

Discussion was held on update provided by City Planner O'Neal and on the Roundabout Project on State Highways 180 and 33.

Deputy City Clerk Pizano provided an update on the 2023 Golf Tournament.

Discussion was held on the update provided by Deputy City Clerk Pizano.

PLANNING COMMISSIONERS' REPORTS

Commissioner Sanchez thanked City Planner O'Neal for his report.

Commissioner Garcia inquired into how to get a speed bump placed on Lua Avenue and reported on a community member being run over by a speeding vehicle on Lua Avenue.

Discussion was held on the comments made by Commissioner Garcia.

Vice Chairperson Leiva thanked all the Commissioners and stated he was happy to see all of them.

Chairperson Escobedo thanked all the Commissioners and provided an update on the 2023 Golf Tournament.

Discussion was held on the report provided by Chairperson Escobedo.

ADJOURNMENT

At the hour of 7:22 p.m. with no more business to be brought before the Planning Commission, a motion for adjournment was made by Commissioner Perez, seconded by Commissioner Garcia; unanimously approved (5 ayes).

Albert Escobedo, Chairperson

ATTEST:

Antonio Pizano, Deputy City Clerk

AGENDA ITEM – STAFF REPORT

TO: HONORABLE CHAIRPERSON AND COMMISSIONERS
FROM: JEFFREY O'NEAL, AICP, CITY PLANNER
SUBJECT: ALLEY ABANDONMENT IN THE MATTER OF APPLICATION NO. 23-05, TENTATIVE PARCEL MAP NO. 23-01
DATE: NOVEMBER 21, 2023

ISSUE

Shall the Planning Commission adopt Resolution No. PC 23-01, determining that abandonment of the alley abutting APNs 013-230-04, 05, and 37 is consistent with the 2005-2025 City of Mendota General Plan Update (General Plan) and further that such determination does not meet the definition of a “project” under CEQA Guidelines Section 15378?

BACKGROUND

Johnathan Todd Zumwalt, PE, PLS has submitted a tentative parcel map on behalf of property owner Ghasan Ali Ahmed to facilitate an urban lot split pursuant to Government Code Section 66411.7. The subject properties are at the south corner of Jennings Street and 9th Street. A short (approximately 62 feet) segment of unpaved alley extends southeast from 9th Street along the rear of APN the subject property. APN 013-230-37 is part of the Bou’s Addition to the City of Mendota (recorded 1967), while APNs 013-230-04 and 05 along with the alley are part of the Sanchez Addition to the City of Mendota (recorded 1948). The City accepted the alley dedication with recordation of the Sanchez addition.

There are no utilities in the alley. Since the City is not currently utilizing the alley for any public purpose, the Applicant has requested that the City abandon the alley. Assessor’s Page 013-23 with the alley identified is attached.

ANALYSIS

Streets and Highways Code Section 8331 provides that a local agency may summarily vacate a street or highway (which includes an alley) so long as: 1) the street or highway has been impassable for vehicular travel for a period of five consecutive years, and 2) no public money was used for the maintenance of the street or highway during such period. The subject right-of-way meets these conditions. Accordingly, a local agency may summarily vacate an excess right-of-way of a street or highway not required for street or highway purposes. (Streets and Highways Code Section 8334, subd. (a).)

Pursuant to Government Code Section 65402, subdivision (a), the Planning Commission must render a determination as to whether the proposed street vacation is in conformance with the City’s General Plan. The Planning Commission shall then forward a report containing that determination to the City Council. The City Council must consider and take action upon the Planning Commission’s report within forty (40) days. If ultimately approved, the right-of-way

vacation would result in the City quitclaiming portions of the right-of-way to each of the abutting parcels. The portions of land conveyed to the owners of these parcels would acquire the planned land use and zoning of the parcel that each portion abuts. The three parcels are planned for Medium Density Residential and are zoned R-1 Single-Family/Medium Density Residential.

GENERAL PLAN CONFORMITY

The alley is not one of the major street types (arterial, collector, industrial collector) identified in the Circulation Element of the General Plan and is not illustrated on the circulation diagram. Accordingly, the vacation of the alley will not impede the City’s ability to meet its General Plan goals and policies. Staff recommends that the Planning Commission determines that the vacation conforms to and is consistent with the General Plan.

ENVIRONMENTAL

The first step in complying with the California Environmental Quality Act (CEQA) is to determine whether the activity in question constitutes a “project” as defined by CEQA, Public Resources Code Section 21000, et seq. and the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, Section 15000, et seq. A “project” consists of the whole of an action (i.e., not the individual pieces or components) that may have a direct or reasonably foreseeable indirect effect on the environment. The second step is to determine whether the project is subject to or exempt from the statute. The Planning Commission’s determination of conformity with the 2005-2025 City of Mendota General Plan would not result in a direct physical change or reasonably foreseeable indirect physical change to the environment, nor is the Commission issuing a lease, permit, license, certificate, or other entitlement for use or making a recommendation about any such issuance. After consideration, staff supports a finding that the proposed determination does not meet the definition of a “project” under CEQA Guidelines Section 15378.

PUBLIC NOTICE

No public notice is required for this action.

FISCAL IMPACT

Review and processing of the proposed abandonment are paid for by the applicant.

RECOMMENDATION

Staff recommends that the Planning Commission adopts Resolution No. PC 23-01, determining that the proposed alley abandonment is not a “project” under CEQA and is consistent with the 2005-2025 City of Mendota General Plan Update. Staff further recommends that the Planning Commission forwards a report of such determinations to the City Council.

Attachment(s):

1. Assessor’s Parcel Map with Inset
2. Resolution No. PC 22-03

— NOTE —
 This map is for Assessment purposes only.
 It is not to be construed as portraying legal
 ownership or divisions of land for purposes
 of zoning or subdivision law.

SUBDIVIDED LAND & POR. 31, T.13 S., R.15 E., M.D.B.&M.

Tax Area
 12-000

13-23



Bou's Addition, Revised Map - Tract No. 2148 - Plat Bk. 23, Pg. 91
 Sanchez Addition Tr. 1035 - Plat Bk. 13, Pg. 99
 Town of Mendota - Misc. 1, Pg. 18
 Tract No. 2334 - Plat Bk. 26, Pa. 100

Bk.
 19

Assessor's Map Bk. 13 - Pg. 23
 County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
 Assessor's Parcel Numbers Shown in Circles.

**BEFORE THE PLANNING COMMISSION
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE PLANNING COMMISSION RESOLUTION NO. PC 23-01
OF THE CITY OF MENDOTA IN THE MATTER OF
APPLICATION NO. 23-05, DETERMINING THAT
VACATION OF THE ALLEY ABUTTING APNs
013-230-05, 05, AND 37 IS CONSISTENT WITH THE
2005-2025 CITY OF MENDOTA GENERAL PLAN
UPDATE, AND FORWARDING A REPORT OF SUCH
DETERMINATION TO THE CITY COUNCIL**

WHEREAS, the Owner of Fresno County Assessor's Parcel Numbers (APN) 013-230-04 and 37 has submitted an application for tentative parcel map, said application being designated City of Mendota Application No. 23-05; and

WHEREAS, said Owner has requested vacation of the alley abutting APNs 013-230-04, 05, and 37; and

WHEREAS, the City of Mendota, via filing of the Map of the Sanchez Addition to the City of Mendota with the Office of the Fresno County Recorder, said map recorded on March 9, 1948 in Volume 13 of Plats at Page 99, Fresno County Records, accepted dedication of the alley for public use; and

WHEREAS, Streets and Highways Code Section 8331 provides that the legislative body of a local agency may summarily vacate a street or highway if, for a period of five (5) consecutive years, the street or highway has been impassable for vehicular travel and no public money was expended for maintenance of the street or highway during such period; and

WHEREAS, Streets and Highways Code Section 8334, subdivision (a) provides that the legislative body of a local agency may summarily vacate an excess right-of-way of a street or highway not required for street or highway purposes; and

WHEREAS, pursuant to Government Code Section 65402, the City of Mendota Planning Commission must render a determination as to whether a proposed street vacation is in conformance with the City's General Plan; and

WHEREAS, after the Planning Commission has made its determination, it must provide a report containing its determination to the Mendota City Council. The City Council then must consider and take action upon the Planning Commission's report within forty (40) days; and

WHEREAS, at a regular meeting on November 21, 2023 the Mendota Planning Commission considered the request for General Plan consistency pursuant to Government Code Section 65402; and

WHEREAS, the alley proposed for vacation is not identified as a planned major street within the Circulation Element of the 2005-2025 City of Mendota General Plan Update; and

WHEREAS, the Planning Commission has independently reviewed and considered the proposed alley vacation and considered all comments, written and oral, received from persons who reviewed or otherwise commented on the proposed alley vacation; and

WHEREAS, the Planning Commission's determination pursuant to Government Code Section 65402 would not result in a direct physical change or reasonably foreseeable indirect change to the environment, nor is the Commission issuing a lease, permit, license, certificate, or other entitlement for use or making a recommendation about any such issuance.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Mendota hereby:

1. Finds that its determination of General Plan consistency pursuant to Government Code Section 65402 does not fall within the definition of a "project" under CEQA Guidelines Section 15378.
2. Finds and determines that abandonment of the alley abutting Fresno County Assessor's Parcel Nos. 013-230-04, 05, and 37 as illustrated in Exhibit "A" hereto is consistent with and conforms to the 2005-2025 City of Mendota General Plan Update.

Albert Escobedo, Chairperson

ATTEST:

I, Celeste Cabrera-Garcia, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the Planning Commission at a regular meeting of said Commission held at Mendota City Hall on the 21st day of November, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Celeste Cabrera-Garcia, MPA, CMC
City Clerk

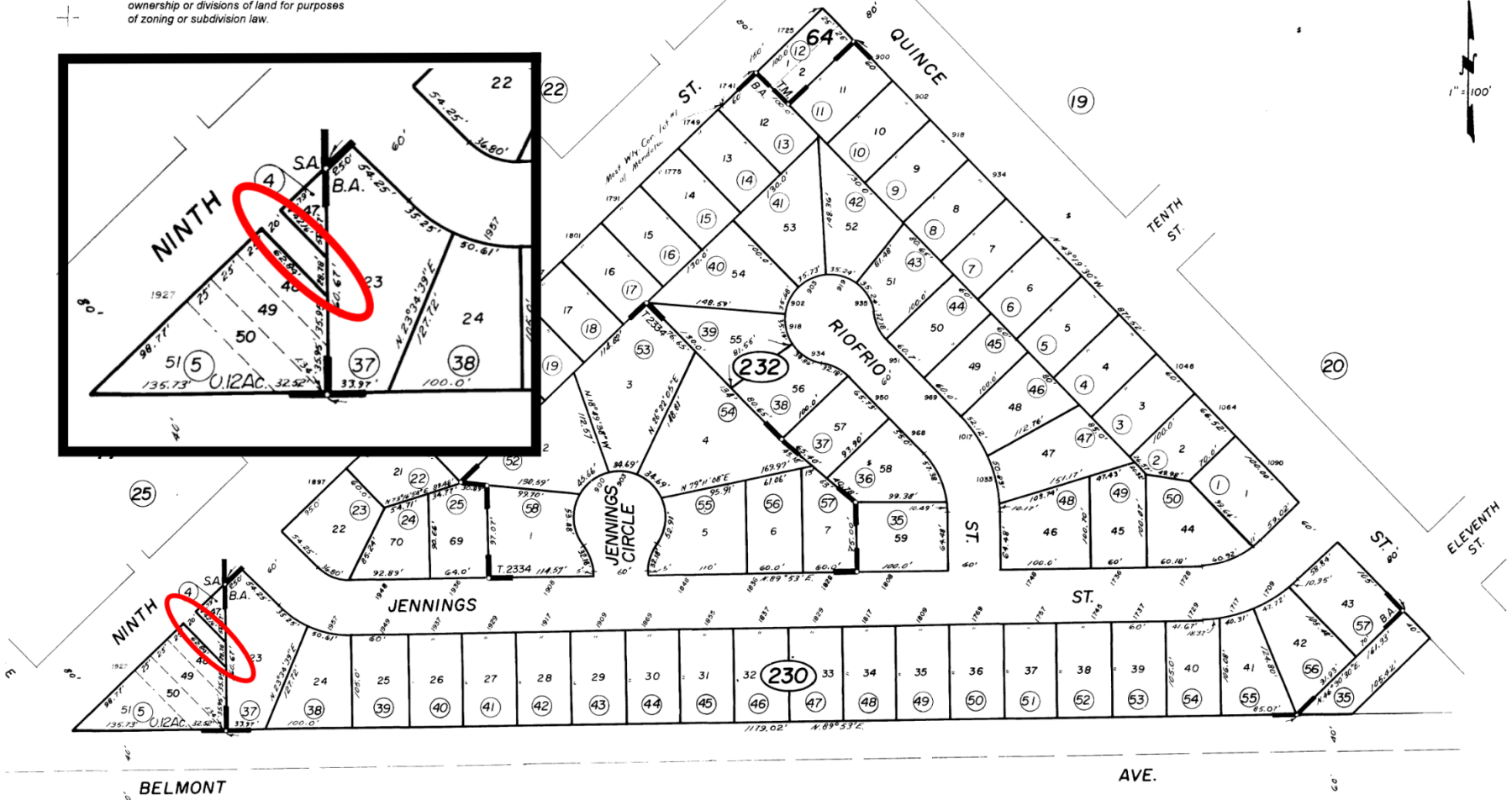
Exhibit "A"
Resolution No. PC 23-01

— NOTE —
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ownership or divisions of land for purposes
of zoning or subdivision law.

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