



MINUTES CITY OF CHOWCHILLA PLANNING COMMISSION

Civic Center Plaza, 130 S. Second Street

December 16, 2009
7:00 PM

CALL TO ORDER: 7:02 PM

ROLL CALL:

Chairman: Lawson
Vice-Chairman: Chapman
Commissioners: Barragan, Munera, Vacant

Interim City Administrator: Varney
Com Dev Manager: Wiederhold
Recording Secretary: Alford

ABSENT: Commissioner: Donegan & Ledbetter

PLEDGE OF ALLEGIANCE: Led by Commissioner Munera

PUBLIC ADDRESS - SECTION 1

None.

CONSENT CALENDAR - SECTION 2

2.1 APPROVAL OF MINUTES: October 21, 2009

Motion by Commissioner Munera, second by Vice Chairman Chapman to approve the minutes from the October 21, 2009 meeting. Motion passed unanimously with Commissioners Donegan and Ledbetter absent.

PUBLIC HEARINGS – SECTION 3

3.1 Consideration of Conditional Use Permit 09-0018 (APN 001-230-008) filed by Cathey Lloyd and Michael Spradley for a recycling business in the existing structure on a 14,000 square foot lot at 460 South Front Street in the C-3, Service Commercial District (APN 002-116-007)

Community Development Manager, Liz Wiederhold presented staff report.

Vice Chairman Chapman questioned on that the diagram showed a forty foot gate with access for the parking and it looks like people could drive up to the building and wondered what was going to keep people from driving to the front to drop off their recyclables. He stated that he didn't have an issue with people driving up there.

Mr. Spradley stated if they had to they will put something across to keep people from driving up to the building. It has been an entrance driveway for many years and a long time ago it was made to be a parts room and they have decided to turn it into a recycling center.

Interim City Administrator Varney stated that it is not a concern that people drive up to the front, but the internal safety is more his concern. He does think people will drive up to the driveway because of convenience. It will create no issues to the traffic and will not cause a threat to the pedestrians because there are little to no pedestrians in that area.

Ms. Norma Ellison, 1412 Humboldt Avenue stated they have multiple properties over in that area and was concerned that people would be using the gate close to their property.

Mr. Lloyd stated they will not be using that particular gate at all. The only reason they have that gate is for a fire entrance or exit and that will be the only time they will need to use the gate just in case they needed fire trucks to get inside there and the other gates are blocked for some reason.

Chairman Lawson opened public hearing for anyone in favor of the application.

No one spoke in favor of the application.

Chairman Lawson opened public hearing for anyone in opposition of the application.

No one spoke in opposition.

Chairman Lawson questioned staff is this would be the only recycling CRV center within city limits and asked if it were required by law to have at least one in the city limits.

Community Development Manager Wiederhold confirmed that this will be the only recycling center in city limits and stated it wasn't required by law, but is very much encouraged to have one in city limits.

Interim City Administrator stated the City's required program has more to do with the waste stream as opposed to the CRV, but there is a certain amount of rebate or grant the City receives back from the state that is generally pretty small. When the City did receive the rebate it is put back into things like the benches that are plastic and made from recycled materials. If the actual CRV center is within the City it is actually better for us.

Motion by Commissioner Barragan, second by Vice Chairman Chapman to close the public hearing. Motion passed unanimously with Commissioners Donegan and Ledbetter absent.

Motion by Commissioner Munera, second by Vice Chairman Chapman to approve resolution 12-09 a resolution of the Planning Commission of the City of Chowchilla granting Conditional Use Permit No. 09-0018 for a recycling collection center, office, and enclosed mobile storage van at 460 South Front Street in the C-3 Service Commercial District with findings and Conditions of approval. Motion passed unanimously with Commissioners Donegan and Ledbetter absent.

Mr. Spradley stated that because the state of California only gave them 60 days from the date they issued them the certificate; the 60 days will be up on January 8. They have been working on this the entire time and went with the state first because sometimes that is the hardest jump and that took two months. They didn't want to go to the City first and show them what they were proposing and not be able to get certified through the state.

Chairman Lawson stated the only thing they needed to do was the parking area, walkway, and the business license.

Mr. Spradley questioned if there would be any way to get a temporary operating permit in case they can't get all this accomplished. It does state if they don't have everything operational by January 8, the certificate will be revoked and they would have to start the entire process all over again.

Community Development Manager Wiederhold stated there were ADA issues and the parking and the walkway is absolutely required to open for business without having that access is in violation of state code and the City could not just say yes, you can open for business because that is mandated by the state. They City will work with you and find a solution to start your business before the deadline. The work will have to be in progress and we can't grant an extension. The City inspector is really good and he will help you to meet your goal.

Mr. Spradley stated that he was hoping to have everything done in the 22 days. He has every intention to

have everything completed, but with weather permitting.

DEFERRED BUSINESS – SECTION 4

None.

NEW BUSINESS – SECTION 5

5.1 Selection of the Chairman and Vice Chairman for 2010

Motion by Commissioner Barragan, second by Commissioner Munera to nominate Vice Chairman Chapman as the new Chairman for 2010.

Motion by Commissioner Barragan, second by Commissioner Munera to close nominations for Chairman. Motion passed unanimously with Commissioners Donegan and Ledbetter absent.

Motion by Commissioner Barragan, second by Chairman Lawson to nominate Commissioner Munera as Vice Chairman for 2010.

Motion by Vice Chairman Chapman, second by Commissioner Barragan to close nominations for Vice Chairman. Motion passed unanimously with Commissioners Donegan and Ledbetter absent.

For 2010 Wayne Chapman will be the Planning Commission Chairman and Jose “JJ” Munera will be Vice Chairman.

OLD BUSINESS – SECTION 6

None.

STAFF REPORTS – SECTION 7

7.1 Other planning projects as applicable

- a. Review of Conditional Use Permit and status of appeal for 09-0002 (Vinny’s Bar) Any handouts will be provided at the meeting.**

Community Development Manager Wiederhold informed the Planning Commission that Vinny’s Bar Conditional Use Permit was appealed to the City Council and has been revoked. Once the resolution is signed at the next City Council meeting either December 29, 2009 or January 11, 2010, and will take effect immediately.

ANNOUNCEMENTS – SECTION 8

8.1 Presentation of ceremonial plaque for Chairman Ron Lawson for years of service

Interim City Administrator presented Chairman Ron Lawson with a ceremonial plaque for his many years of service as a Planning Commissioner.

Chairman Lawson stated that he appreciated the City Council over the years giving him the opportunity to

support him in some sort of activity. He felt everybody in the community needs to do something and by being on this commission it gave him that opportunity to give back to the community.

Next Meeting of the Planning Commission will be:

January 20, 2010

ADJOURNMENT

Motion by Vice Chairman Chapman, second by Commissioner Munera to adjourn the December 16, 2009 meeting at 7:40 PM. Motion passed unanimously with Commissioners Donegan and Ledbetter absent.

Chairman Wayne Chapman

Community Development Manager Liz Wiederhold