



# MINUTES CITY OF CHOWCHILLA PLANNING COMMISSION

Civic Center Plaza, 130 S. Second Street

February 17, 2010

CALL TO ORDER: 7:10

ROLL CALL:

Chairman: Chapman  
Vice-Chairman: Munera  
Commissioners: Barragan, Donegan, Horn, Yancy

Com. Dev. Manager: Wiederhold  
Recording Secretary: Hicks

ABSENT: Commissioner: Ledbetter

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PLEDGE OF ALLEGIANCE: Led by Commissioner Donegan

## PUBLIC ADDRESS - SECTION 1

Commissioner Barragan welcomed new Planning Commissioners Horn and Yancy.

## CONSENT CALENDAR - SECTION 2

2.1 APPROVAL OF MINUTES: December 16, 2009

Motion by Commissioner Horn, second by Commissioner Munera to approve the minutes from the December 16, 2009 meeting. Motion passed unanimously with Commissioner Ledbetter absent.

## PUBLIC HEARINGS – SECTION 3

**CONSIDERATION OF TENTATIVE PARCEL MAP NO. 09-0020, (APN 001-340-039) FILED BY 2 SHASTA COURT LP., A CALIFORNIA LIMITED PARTNERSHIP FOR A MAP SPLITTING 6.96 ACRES INTO 2 PARCELS OF VARIED SIZES AT THE CORNER OF WASHINGTON ROAD AND SHASTA COURT IN THE R-3, HIGH DENSITY MULTI-FAMILY DISTRICT.**

**Community Development Manager, Liz Wiederhold** presented staff report.

**Commissioner Horn** expressed her concerns of ingress and egress and the well site. **Commissioner Horn** asked if the well was developed.

**Community Development Manager Wiederhold** stated that there is a test well on a parcel within the subdivision.

**Chairman Chapman opened the public hearing for anyone to speak in favor.**

**Tim Miller, Miller Planning and Design, Sonora, CA** representing the owners of the property and he is here to answer any questions. He asked if the members of the public could speak first and then he could address some of their concerns. He state that he has been involved with the site plan review and the EIR and tonight's mapping.

**Chairman Chapman opened the public hearing for anyone to speak in opposition.**

**Joe Rita, 107 Kites Way**, expressed his concerns with the well water and increase in traffic.

**Christopher Smith, 116 Kites Way**, expressed his concerns regarding increase of traffic, property values, and the crime that may increase with this project.

**Judy Perry, 120 Phillip Way**, expressed her concern with traffic ingress and egress and water pressure.

**Marc Garner, 101 Kites Way**, expressed his concerns with the possible increase of crime, privacy of his property and not having enough police officers to help patrol the area.

**Christopher Smith 116 Kites Way**, asked if this apartment complex is going in anyway no matter what our concerns are?

**Chairman Chapman** stated that yes is has already been approved for this use, and there was a public hearing at that time.

**Judy Perry – 120 Phillip Way**, stated that this was approved in 2003 but she did not purchase her home until 2006, and a lot of things have changed since 2003.

**Michelle Smith – 116 Kites Way**, expressed that she is very concerned about the traffic and the privacy of her home.

**Commissioner Munera** stated when that project went in front of the Planning Commission it had already been approved and everything was done by the law and that is all we can do as a Planning Commission is if everything is covered by the law we have to act on it. But all of your concerns that you have all of you need to take it to the City Council that has the final approval on this project. All we can do tonight is to vote to split the parcel into two parcels and we can not stop the project but your concerns do go into our records.

**Chairman Chapman opened up the public hearing for those in favor:**

**Tim Miller, Miller Planning and Design, Sonora, CA** – You have heard some of the background of the project here tonight all ready, the property is zoned for multi-family high density and has been zone for that purpose for sometime. This project in May 2008 went through a separate environmental review and a site plan review that was approved by this commission.

**Community Development Manager Wiederhold** addressed the audience regarding their concerns stating that the Planning Commission is only making recommendations to the City Council and then City Council will approve or deny. You have the right to go before the City Council at anytime to address your concerns. This will go to the City Council, City Council has final approve on this parcel split. But the concerns that you are stating is a separate issue. You can write a letter to City Council requesting to be on their agenda and let them know what you want to talk about. City Council meetings are the second and fourth Mondays of the month.

**Chairman Chapman** stated that the concerns that everyone is addressing tonight have nothing to do with the parcel split and these concerns should be taken to the City Council.

**Chairman Chapman closed the public hearing.**

**Commissioner Horn** made the motion 1b to adopt Resolution 2-10. A Resolution of the Planning Commission of the City of Chowchilla, California, denying the approval of Tentative Parcel Map No., 09-0020, a map splitting the 6.96 acres at Washington Road and Shasta Court into 2 Parcels of varied sizes.

**Commissioner Horn** stated her findings, she felt that according to the documents that she has read and the statements that have been made, that the traffic – ingress and egress is inaccurate and it does not reflect the original documentation. Also she stated that there are questions she has on where the water is and where the well is and where it is stated on the plot map. She stated that she can see where the well site has been traded out but she does not see where it has been placed into the documents. That is the two reasons that she has for asking for this project to be denied at this time. She knows that the City Council can over turn this decision but she feels that in all of the judgment there are some questions that need to be answered.

**Motion by Commissioner Horn, seconded by Commissioner Donegan to adopt Resolution 2-10 denying the approval of Tentative Parcel Map No 09-0020, a map splitting the 6.96 acres at Washington Road and Shasta Court into 2 parcels of varied sizes. Motion carried by roll call vote with Commissioner Yancy and Munera voting no and Commissioner Ledbetter absent.**

**DEFERRED BUSINESS – SECTION 4**

None

**NEW BUSINESS – SECTION 5**

**5.1 Appointment of Committee Members – Sub Committee and CDBG Loan Committee**

**Community Development Manager Wiederhold** stated that tonight we need to appoint committee members for our Sub Committee and Community Development Block Grant (CDBG) Loan Committee she stated that Commissioner Barragan is on our CDBG loan committee. So we need to appoint two new commissioners for the sub committee these meetings are held during the day so we need someone who can attend during regular business hours.

**Commissioner Barragan stated that he would remain on the CDBG Loan Committee.**

**Commissioner Barragan and Ledbetter were appointed to the Sub Committee.**

**OLD BUSINESS – SECTION 6**

None

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**STAFF REPORTS – SECTION 7**

**7.1 Villa Del Sol – Amended Site Plan Review**

**Community Development Manger Wiederhold** updated the Commissioners stating that Villa Del Sol will be coming back with an amend site plan review. This is the property behind the new Save Mart and it is the assisted living facility.

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**ANNOUNCEMENTS – SECTION 8**

**Next Meeting of the Planning Commission will be:**

**March 17, 2010**

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**ADJOURNMENT**

Motion by Commissioner Munera, second by Commissioner Donegan to adjourn the February 17, 2010 meeting at 8:25pm. Motion passed unanimously with Commissioner Ledbetter absent.

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Liz Wiederhold  
Community Development Manger

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Chairman Chapman