

**MINUTES OF MEETING
CITY OF SELMA PLANNING COMMISSION
Monday, April 23, 2007**

ITEM 1. - FLAG SALUTE: Commissioner Pendegraft

ITEM 2. – ROLL CALL:

The Planning Commission met at the John B. Howard Community Center at 7:00 p.m. Present were Commissioners Allen, Ivory, Kessler, Niswander, Pendegraft, Tiger and Chairman Grey. Staffs present included Michael Gaston, Community Development Director, Neal Costanzo, City Attorney, Jerry Howell, GIS Coordinator, and Connie Cantu, Planning Technician/Recording Secretary. Also present were eight (8) interested citizens. The Selma Enterprise reporter was not present.

ITEM 3. – ORAL COMMUNICATIONS: None

ITEM 4. – FOR APPROVAL: Minutes of March 26, 2007

Motioned by Commissioner Kessler, seconded by Commissioner Pendegraft, the minutes of March 26, 2007, regular Planning Commission Meeting, were approved as written.

ITEM 5. – CONTINUED PUBLIC HEARING ITEM:

A. SUBMITTAL NO. 2007-0023: EA; Conditional Use Permit

Applicant: Valley Life Church (Pastor Ken Rasmussen)

Location: Northeast corner of Barbara Street and McCall Avenue.

Proposal: Conditional Use Permit No.2007-0023:

The applicant is proposing to place modular buildings at 3200 McCall Avenue, Selma. These modular buildings will be used for educational classrooms. The project will include on-site improvements for parking and landscaping.
(Resolution No. 2007-0006)

Michael Gaston, Community Development Director, presented the staff report. Director Gaston noted that staff did extensive research on all the Conditional Use Permits for the site. Director Gaston noted that most all the previous Conditional Use Permits had complied with Conditions of Approval except two (2) Conditional Use Permits had not started construction of permanent buildings.

Chairman Grey opened the public hearing for public testimony.

Pastor Ken Rasmussen stated that the existing school has run out of room and there is a need for more rooms, over 90 pre-school children and climbing, want to register to the school, but there just is no room. Pastor Rasmussen noted that the units will be brought up to code, safety is first.

Pastor Rasmussen has agreed to comply with all Conditions of Approval. Pastor Rasmussen has met with city staff and understands all requirements.

Commissioner Pendegraft asked Pastor Rasmussen what the time period would be on the use of temporary units verses permanent buildings.

Pastor Rasmussen stated that it might take between three (3) to five (5) years to get permanent buildings, if not sooner.

Commissioner Allen asked the placement and amount of the units, will they be handicapped accessible.

Pastor Rasmussen stated six (6) units, two (2) by two (2) in a row or three (3) by three (3) all handicapped accessible.

Commissioner Niswander asked what will happen to the units once permanent buildings are built?

Pastor Rasmussen stated that they will be removed from the site.

Director Gaston noted that's the reason for the one (1) year renewal time period on modular units, so that the Planning Commission can control the use.

Mr. Clyde Petersen objected to the project, he noted that he lives across from the church and the light from the existing sign bothers him at night. His bedroom window is facing the sign on the corner of Barbara Street and McCall Avenue. He noted that conditions of approval for the lighted sign are not being met. If the City allows the church to add more classrooms the traffic on Barbara Street will be worse than it is now.

Chairman Grey asked for any more testimony. There being none he closed the public hearing and referred the matter back to the commissioners for action.

The Commissioners asked City Attorney Costanzo what was the time limit on the units.

City Attorney Costanzo answered that there is only a time limit on permanent construction, and a one year limit on modular units. Also the applicant can abandon the Conditional Use Permits that do not involve construction of buildings.

The Commissioners noted that the applicant should abandon prior Conditional Use Permits that have been approved but never constructed and start fresh with new Conditional Use Permits as needed.

Motioned by Commissioner Pendegraft, seconded by Commissioner Allen to adopt Resolution No. 2007-0006 approving Submittal No. 2007-0023 with the modification to condition number 7, addition of A, B, and C., to read as follows:

- A) The modular buildings shall comply with all the California Building Codes and shall be set at grade level. All units to be handicapped accessible.
- B) Applicant to abandon Conditional Use Permit No. 87-261 and Conditional Use Permit No. 92-305.
- C) Expand the existing wrought iron fence to close off the existing driveway to the Pre-School and extending to the east side of the driveway entrance to the south parking lot.

The Commissioners unanimously approved the modification.

ITEM 6 - NEW BUSINESS:

A. SUBMITTAL NO. 2006-0126: EA; Lot Line Adjustment .

Applicant: John Moreno, P. O. Box 371: EA; Lot Line Adjustment and Zone
Location: Property address is 1758 Sylvia Street, located on the southeast corner of 3rd and Sylvia Streets, Selma (APN 388-174-14).
Proposal: Lot Line Adjustment No. 2007-0126
 At the present time the applicant has three legal non-conforming lots: Lot 19 (30'X 124'), Lot 18 (30'X 124') and lot 17 (50'X124'). The lot line request would move the existing lines and create two lots, lot 'A' with a frontage of sixty (60') feet on the corner and lot 'B' and interior lot with a frontage of fifty (50') feet. (Resolution No. 2007-0007)

Michael Gaston, Community Development Director, presented the staff report. Director Gaston noted that the applicant is requesting to create two lots out of three. The corner parcel is vacant and the other has a new home. This site is zoned R-2 and would conform to the zone district requirements.

Mr. John Moreno, applicant, stated that he likes to build on in-fill lots and he is hoping that the Planning Commissioners will allow him to proceed with this plan.

On motion by Commissioner Allen, and seconded by Commissioner Ivory, to adopt Resolution No.2007-0007, A Resolution approving Submittal No. 2006-0126, Lot Line Adjustment No. 2006-0126. Unanimously approved.

B. Submittal No. 2007-0038: Lot Line Adjustment No. 2007-0038.

Applicant: Archie Tovar 1538 East Front Street, Selma
Location: South east corner of East Front Street and Fourth Streets, 1538 East Front Street, Selma (APN: 389-222-15).
Proposal: Lot Line Adjustment No. 2007-0038: (APN: 389-222-15). At the present time the applicant has three legal lots: 9 (30' X 115'), lot 10 (30' X 115') and lot 11 (30' X 115'). The lot line request would move the existing lines and create two lots. Parcel "A" would have a frontage of (49'.6") on the corner of East Front Street and Orange Avenue. Parcel 'B' an interior lot would have a frontage of (40') feet.

(Resolution No. 2007-0008)

Chairman Grey absent, due to property ownership across the street from the project site. Vice Chairman Pendegraft proceeded with the meeting.

Michael Gaston, Community Development Director, presented the staff report. Director Gaston noted that, at the present time there are two existing structures on the parcels. One is a commercial building and the other is a single family residence. The applicant is requesting to divide the parcels to allow for future sale.

Mr. Archie Tovar, applicant, stated that he agrees with staffs recommendation.

The motion was made by Commissioner Niswander, and it was seconded by Commissioner Kessler, to adopt Resolution No. 2007-0008. A Resolution approving Submittal No. 2007-0038: Lot Line Adjustment No. 2007-0038. The commissioners unanimously approved the lot line adjustment.

Chairman Grey returned to Chair the meeting with Vice Chairman Pendegraft returning to his seat.

ITEM 7. – INFORMATION ITEM:

A. Discussion on canopies (cool covers)

Director Gaston noted that he is asking for direction from the Planning Commissioners on cool covers. I want to survey at least ten (10) other cities to see what they're regulations are if any and bring back to the commission a report so that the City of Selma can have standards for cool covers within the city.

ITEM 8. – PLANNING DIRECTOR'S REPORT:

A. General Plan update.

Director Gaston stated that Quad Knopf will be updating the General Plan.

ITEM 9. – ADJOURNMENT:

Having no further business, motioned by Commissioner Allen, seconded by Commissioner Tiger, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Michael S. Gaston, AICP
Secretary to the Planning Commission

MSG/cc

RESOLUTION NUMBERS: 2007-0006, 2007-0007, 2007-0008
NEXT RESOLUTION NUMBER: 2007-0009
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